



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, TUESDAY, DECEMBER 5, 2000

No. 148

Senate

(Legislative day of Friday, September 22, 2000)

The Senate met at 12:01 p.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Sovereign of our Nation, Lord of this Senate, and gracious Father of us all, we return to You in repentance, confessing our urgent need for Your grace. We cannot open the Senate today with a business-as-usual attitude. So much has happened in these past weeks in the contested Presidential election and the close Senate races. As tension mounts, patience wears thin, and party spirit threatens to displace the spirit of patriotism in America, we ask for Your healing spirit.

Life can make us bitter or better, resentful or resilient. The difference is in the opening of our minds and hearts to You. May this Senate exemplify to the Nation how reliance on You brings reconciliation in relationships. Help the Senators to model what it means to work together to complete the work of this 106th Congress. Heal our land, Lord, and make these Senators agents of healing.

Today, we celebrate the 98th birthday of Senator STROM THURMOND. We cherish our friendship with him and admire his patriotism. We marvel at his vigor and stamina. By Your providential care, on May 25, 1997, he became the longest serving Senator in the Nation's history. Yet it is not just the quantity but the quality of these years of service that motivate our admiration. May he know of our affirmation, feel our love, and be encouraged by Your blessing.

Now, Lord, we turn to the challenges of this day with the firm conviction that when we place our trust in You, You turn our struggles into stepping

stones. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MICHAEL B. ENZI, a Senator from the State of Wyoming, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ENZI). Under the previous order, leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair recognizes the majority leader.

HAPPY BIRTHDAY TO SENATOR STROM THURMOND

Mr. LOTT. Mr. President, on behalf of an admiring Senate, I extend happy birthday and best wishes to our great Senator, the favorite son of South Carolina, STROM THURMOND. What a career he has had and what an example he sets for all of us: A soldier, a patriot, a teacher, a political leader, a man of good will, and a gentle man. We appreciate his presence every day and hope he has a very happy day today and many more to come.

Mr. THURMOND. Mr. President, I thank the majority leader for his kind remarks. He has done a great job. I don't know of anyone who has done better. We are proud of him. I want him to know it. We are proud of the Senate and all it has accomplished, and we expect to do even more as the days go by.

Mr. LOTT. Mr. President, I thank Senator THURMOND, and I yield to Senator REID.

Mr. REID. Mr. President, I also express happy birthday wishes to Senator THURMOND. He is a wonderful example for all of us.

Mr. HOLLINGS. Mr. President, I rise today to offer my congratulations to Senator THURMOND on his 98th birthday. Few people are lucky enough to reach this milestone in their lives, but fewer still, if any, can claim a life as rich and colorful as STROM THURMOND's. He is what the lawyers call "sui generis"—one of a kind, unique. Last year, a monument to Senator THURMOND was dedicated on the grounds of the South Carolina Statehouse. It was a deserving tribute, but hardly necessary to mark his many contributions to our State and Nation. He is, after all, a living political icon. Generations of South Carolinians refer to him affectionately as "STROM" and his birthday is a celebration of service to our State. I know the people of South Carolina join me and Peatsy in sending Senator THURMOND our best wishes for a wonderful day.

SCHEDULE

Mr. LOTT. Mr. President, the Senate will be in a period of morning business until 12:30 p.m. By previous consent, the Senate will recess from 12:30 to 2:15 for the weekly party conferences to meet. When we reconvene, the Senate may continue morning business. However, it is possible the Senate will have one or as many as four votes this afternoon. I don't want to lock it in at this point, but it is possible we could have a recorded vote at 2:15 on the continuing resolution that would be for 2 days. We also could have one or more votes this afternoon on or in relation to cloture on the conference report to accompany H.R. 2415, the bankruptcy legislation.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S11547

I see the distinguished assistant Democratic leader here. He may want to comment on that. I emphasize that we do expect at least a couple, maybe as many as four, votes this afternoon.

I welcome back all Senators of the 106th Congress. I hope this session can come to an early conclusion. It would be very important at this time, considering all that is going on. If we show we can act quickly on the remaining appropriations bills and dispose of the tax and Medicare issues, that will be very positive for our country. I look forward to working with the chairman and senior member of the Appropriations Committee to see if we can get that worked out and see if there is any way that maybe we can complete it by Thursday night when this continuing resolution will expire. We will get more information to all Senators later this afternoon, after consultation with the Democratic leaders.

I yield to Senator REID.

Mr. REID. Mr. President, Senator BYRD would like 15 minutes prior to the CR vote, to be divided between him and Senator STEVENS, to talk about that.

During our party conferences, we will find out if we need the two extra votes on bankruptcy. It is my understanding what the leader wants is to have a vote on cloture on bankruptcy. If we have to go through the drill, we will have to have a couple votes before we get to that. I will talk to the people in the Democratic Conference at 12:30 today and report back to the leader as quickly as I can.

I am happy to hear the majority leader talking about moving forward where we left off before the lame duck session started. There has been a tremendous amount of work that has gone into those appropriation bills, the balanced budget problem we have, the add-ons, and the other things the leader has indicated we will try to move, rather than have a CR. I hope we do that. We await the direction of the majority in the next few days so we can go home and have a good Christmas.

Mr. LOTT. I thank Senator REID. We will have further announcements after consultation with the leadership on both sides of the aisle.

I thank the Chair and yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak therein for up to 5 minutes.

The Chair recognizes the Senator from Arizona.

HAPPY BIRTHDAY GREETINGS TO SENATOR THURMOND

Mr. KYL. Mr. President, congratulations to the majority leader, and happy birthday to our President pro tem, STROM THURMOND.

I remember on the 90th birthday of Senator THURMOND, a reporter asked him if he could expect to see STROM on his 100th birthday. Senator THURMOND looked him up and down and said: Well, you look fit enough to me. If you eat right and drink right, you ought to be around to see me then.

All of us are looking forward to the centennial birthday of Senator THURMOND.

RETIREMENT OF SENATOR CONNIE MACK

Mr. KYL. Mr. President, I rise this morning to express how much I am going to miss our colleague, CONNIE MACK, who retires at the end of this Congress, after three terms in the House of Representatives and two terms in the Senate.

My colleague, the first Republican in the history of the State of Florida ever to be reelected to the U.S. Senate, is a valued part of our party's leadership team. He has managed simultaneously to accomplish great things for the conservative cause while also increasing the level of civility in this body.

One is tempted to call CONNIE MACK Reaganesque in the way that he combines an agreeable disposition with rock-solid principles. As chairman of the Joint Economic Committee, and as a member of the Banking and Finance Committees, he led the successful effort in 1995 to cut congressional spending by 9 percent—the largest cut in 40 years. Connie is one of the people who has led Congress in forcing the Federal Government to put its financial house in order.

He has also left his mark in the areas of medical research and protecting the pristine environment in his home State of Florida. And he has been a warm, amiable gentleman in all seasons and all situations.

I served with CONNIE MACK in the House of Representatives to which he was elected in 1982. That was a pivotal time in our politics, as he has pointed out. America had made a clean break at that time from decades of ever-increasing governmental interference in the economy. He entered Congress as a small businessman, a banker, who understood that the engine of America's greatness is its private sector. Then-Congressman MACK took Ronald Reagan's political banner as his own. As CONNIE has written, "It can be summed up in one word: freedom." President Reagan inspired him into public service, and he has eloquently defended conservatism's most deeply held principles: limited government, standing up for democratic allies around the world, lowering the tax burden that Americans bear, taming the bureaucracy and the special interests, and returning to citizens control over their own lives.

We agreed on public policy questions, Senator MACK and I. But having said that, I also know that my colleagues who opposed him on issues admire and

like him every bit as much as I do. CONNIE MACK is that kind of person.

Senator MACK said on the floor of the Senate recently—it was on an important foreign policy matter—that "we must speak the truth and stand on principle." That is what he has done daily. That is the virtuous example he has set. It is what has made him such a good public servant for Florida and America.

Mr. President, I know we will all miss our colleague, CONNIE MACK.

TRIBUTE TO SENATOR JOHN ASHCROFT

Mr. KYL. Mr. President, I want to say a few words about the wonderful work that my colleague, JOHN ASHCROFT, has done in the Senate during the last 6 years. Our colleague from Missouri has racked up an enviable list of accomplishments in his time in the Senate.

As you know, he was responsible for the "charitable choice" provision in the landmark 1996 welfare reform law, a provision that allows faith-based organizations to compete for Government resources to help poor families. These organizations had previously been shut out of the process. The Ashcroft provision gained such strong, bipartisan support that he has expanded it so that faith-based groups can now participate in Federal substance abuse treatment programs. Senator ASHCROFT has truly helped America find better ways to attack the problems we face in our communities.

He also led the way on another major public policy improvement in the area of Social Security. Social Security, as we know, has had surpluses routinely raided to finance deficit spending of the Federal Government. JOHN was a key Member of Congress who drew attention to, and halted, this practice so that these moneys are now used to pay benefits and only to pay benefits. He introduced the first lockbox proposal in the Senate. And, at his urging, budget procedures were changed so that the objectionable practice of diverting Social Security funds to pay for other Government operations could literally be ruled out of order.

I want to conclude by saying what an honor it has been to serve with a man of such intellect, compassion, and notable integrity as JOHN ASHCROFT. He has distinguished himself as a Missouri Senator, its Governor, its auditor, and its attorney general. One thing is certain: we have not seen the last of JOHN ASHCROFT. I trust that what lies ahead for someone of his caliber is further and even greater service to his State and to his country.

Thank you, Mr. President.

ORDER FOR RECESS

Mr. KYL. Mr. President, I ask unanimous consent that at the hour of 12:30 p.m. the Senate stand in recess until the hour of 2:15 p.m. in order for the weekly party caucuses to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT
AGREEMENT—H.J. RES. 126

Mr. KYL. Mr. President, I ask unanimous consent that at 2:15 p.m., the Senate proceed to H.J. Res. 126, the continuing resolution; further, that no amendments or motions be in order, and that there be 15 minutes equally divided between the chairman and the ranking member; that following that time the resolution be immediately read the third time, and the Senate proceed to a vote on passage of the resolution, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

SENATOR STROM THURMOND'S
98TH BIRTHDAY

Mr. BYRD. Mr. President, I rise this afternoon to add a few accolades to those that have already been expressed on the 98th birthday of our very distinguished and able colleague, Senator THURMOND.

Senator THURMOND and I have worked together in this Chamber for 42 years. I say this with a considerable amount of pleasure. I have always found Senator THURMOND to be straightforward, courageous—he is absolutely fearless—and always considerate of the viewpoints of others. We were here during the great civil rights debates of the 1960s. We have seen colleagues come and go. We have shared viewpoints on many of the great issues that have been debated upon this stage in the years that have gone by: The Civil Rights Act of 1964, the Voting Rights Act of 1965, the Panama Canal Treaties in the late 1970s—the many issues that have deeply affected our country and the people of our country.

While Senator THURMOND and I belong to different political parties, I think we have attempted to see through the fog of political debate, and we have attempted to speak and act in the best interests of the country as a whole. We have often risen above the political fray.

Senator THURMOND has always been very courteous to me. I can remember those years, now long ago, when Senator THURMOND lost his wife. He was a Democrat in those years, and I remember coming into the Senate Chamber on that morning after. Senator THURMOND sat there in the back row behind me that morning. I walked up to him, shook his hand, and told him of my sorrow at his loss.

I can remember when Senator THURMOND lost his daughter. I went to South Carolina to be with him in that time of trial and tribulation and sorrow. I saw the great outpouring of affection and love by his constituents in South Carolina.

I remember, too, the day in which there was a memorial service conducted for my grandson, Michael, who was tragically killed at the age of 17. I recall that at that memorial service there were two other Senators present—Senator Randolph, my colleague at that time in the Senate, and Senator THURMOND. My colleague today, Senator ROCKEFELLER, was there, but he was at that time the Governor of the State of West Virginia.

I shall never forget when STROM THURMOND came to my side at that moment of great sorrow when I gave up my grandson. Senator THURMOND has always been a Senator who sympathizes with the sorrows, the sadness, and the joys of his colleagues.

I went out here some distance from the Capitol a few years ago to attend the funeral service of a relative of one of my staff members. This relative was a black man. Who came to that funeral service? Me. I was there because it was a relative of one of my staff members. Senator THURMOND was there. He came there to show his sympathy and his concern to those bereaved people.

I marveled at his presence on that occasion. It made me wonder, how many funerals of persons of other races, of other parties, and of other creeds does this man attend around this city?

Let me just say today that it has also been not just a pleasure to serve with Senator THURMOND but it has been an honor. I salute him on this his 98th birthday.

Abraham lived to be 175. Isaac lived to be 180. Jacob lived to be 147. Joshua lived to be 110. Joseph lived to be 110. Moses lived to be 120. STROM THURMOND is only 98. I thank the good Lord that I can be here today to share with him this birthday of his.

Let me close by remembering a few lines, if I might, that were written by a poet.

Count your garden by the flowers,
Never by the leaves that fall.
Count your days by the sunny hours,
Not remembering clouds at all.
Count your nights by stars, not shadows.
Count your life by smiles, not tears.

On this beautiful December afternoon, Senator THURMOND:

Count your age by friends, not years.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to thank the able Senator from West Virginia for his kind remarks. He is a man of character, a man of ability, a man of dedication, a man for whom all of us have high respect.

He has done a fine job here in the Senate. Although we are in different parties, we have so much in common. I have enjoyed being here with him, and I thank him for his great service to his State and to our Nation.

Thank you, Mr. President.

Mr. BYRD. Mr. President, I understand Senator HARKIN wishes to make a few remarks before the Senate recesses and before the meetings of the

two parties. I hope someone will indicate to Senator HARKIN that the floor is now available, if he would come at this time.

I understand he is on his way. If the Chair would just momentarily desist from using the gavel.

Mr. DURBIN. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD. Yes. I yield, if I have the floor, Mr. President.

Mr. DURBIN. Mr. President, I want to thank the Senator from West Virginia for his kind remarks in behalf of the birthday of our colleague from South Carolina, Senator THURMOND. Those were excellent remarks and tribute to a man with whom we have been proud to serve.

I would like to note, because the Senator is such a historian, that someone handed me a little piece of history which might be instructive to us in the days ahead.

The year was 1881, when a special session of the Senate convened on March 4, 1881. The session was called for the exclusive purpose of handling Cabinet and agency nominations for the new administration of President James Garfield. Republicans and Democrats were split evenly 37-37, with 2 independent Senators. Under normal circumstances, this short session should have lasted about 11 days. Due to intense partisanship, it resulted in deadlock. It ran for 11 weeks.

I hope that is a lesson to those of us who are trying to find a reasonable way to resolve our new challenge in the new Congress; that there are ways to do it so we can avoid that kind of deadlock and that kind of delay.

I see the Senator from Iowa present.

Mr. BYRD. Mr. President, if the Senator will yield, the two independent Senators on that occasion came from the State of Illinois. One was David Davis, a former Member of the Supreme Court. The other was William Mahone who hailed from the great State of Virginia, the mother of Presidents.

Mr. DURBIN. I thank the Senator. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

HEALTH AND EDUCATION
APPROPRIATIONS

Mr. HARKIN. Mr. President, over a month has passed since the Republican and Democratic negotiators came to agreement on the health and education appropriations bill for this year. As I said back then, the agreement was reached as a product of long and difficult bipartisan negotiations. Senator STEVENS, Senator BYRD, Senator SPECTER, and I, along with Congressmen BILL YOUNG, Congressman DAVID OBEY, and Congressman JOHN PORTER, worked for months to craft this agreement.

Chairman STEVENS and Chairman YOUNG had been charged by their leadership to lead these negotiations to closure so that we could pass this very

important bill. That is exactly what they did. At times when negotiations got heated, both sides hung in there, and in the end we came up with a compromise. Neither side liked everything that was in it, but it was a true compromise.

Less than 12 hours after we reached agreement, the faction within the House leadership led by Congressman DELAY and Congressman ARMEY decided to renege on our bipartisan conference. We were baffled by this sudden decision. We spent many late hours giving and taking, compromising, and negotiating. We came to an honorable, mutually satisfactory agreement.

As I said, no one was 100-percent happy with it. For example, I was extremely displeased that, at the insistence of Republicans, an important regulation protecting workers from workplace injuries—such as carpal-tunnel syndrome—was delayed yet again; despite the fact that last year's conference report contained explicit language, it would be delayed further.

Each year, over 600,000 American workers suffer disabling, work-related, musculoskeletal disorders that cost employers \$15 billion to \$20 billion a year in compensation. It may cost our economy as much as \$60 billion total a year.

I was especially disappointed in the delay because this ergonomic provision, as a nonpartisan proposal, initiated under Labor Secretary Elizabeth Dole in the Bush administration 9 years ago.

While I was displeased with certain aspects of the bill, I was satisfied that the bill contained important provisions to improve the education of our kids, provide health care for working women, and safeguards for Social Security and Medicare. Those provisions are far too important to be destroyed by last-minute partisan politics.

There is a 21-percent overall increase in education funding in this bill and 35-percent more funding for class size reduction. This means 12,000 new teachers across America will be making a difference for 648,000 children.

There is school modernization funding that will generate approximately \$9 billion for school repairs; \$250 million to increase accountability to turn around failing schools; a 40-percent increase in IDEA grants, Individuals with Disabilities Education Act grants, to States; the largest increase ever in Pell grants, so that college is affordable to working families and their kids; 70,000 more kids will get Head Start under this bill; an additional \$817 million for child care to serve 220,000 more children; another almost \$.5 billion for afterschool care for 850,000 kids.

In the health care area, there will be 1.4 million more patient visits to community health centers under this bill with an additional \$150 million; an additional \$18 million for breast and cervical cancer screening; an additional \$1.7 billion for NIH funding, the largest ever; home heating, an additional \$300

million for the Low-Income Heating Energy Assistance Program.

In the end, each side won some battles and each side lost, but we ended up with a fair and honorable agreement that was in the best interests of our Nation. That is what bipartisan compromise is all about.

Some are suggesting we just adopt a full year's continuing resolution. Not only would that be an abdication of our responsibility, but it would be exactly the wrong start to the next 2 years of a possibly evenly divided Senate and closely divided House. It would toss out one of the best examples of bipartisan cooperation that we have had this year, the bipartisan cooperation to enact the Labor-Health-Education appropriations bill.

Even worse, Mr. President, a full year's continuing resolution would be a step backwards for the education of our kids and making health care available to all Americans. It would wipe out all the gains I have just mentioned that are included in the bill. We would be kissing goodbye all these important advances in class size reduction, Head Start, breast and cervical cancer treatment, and many others.

Among other things, a full year's continuing resolution would cut NIH research by 47 percent, denying funding to 4,500 new research project grants this year. This chart indicates that.

If we pass a 1-year continuing resolution, here is what will happen: Under the current bill on which we had bipartisan agreement, we will be able to fund 9,500 new research projects at NIH. If we have a 1-year continuing resolution at last year's level, we will have only 5,000.

The PRESIDING OFFICER. The hour has arrived for the party conferences to meet. The discussion on this issue will continue.

Mr. HARKIN. I ask unanimous consent to be recognized at 2:15 for 10 minutes.

The PRESIDING OFFICER. The unanimous consent divides time at that time, so I object.

Mr. HARKIN. I ask unanimous consent to be recognized at 2:15 to finish my statement.

The PRESIDING OFFICER. I have to object. We have divided the time at 2:15 on this issue.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:17 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. INHOFE].

UNANIMOUS CONSENT AGREEMENT—H.R. 2415

Mr. STEVENS. Mr. President, I ask unanimous consent that following the

vote regarding the continuing resolution, the majority leader be recognized to offer a motion to proceed to the motion to reconsider the cloture vote relative to the bankruptcy bill. I further ask that the motion to proceed on the motion to reconsider be agreed to and the Senate then proceed to 10 minutes equally divided between the majority leader and Senator WELLSTONE, and following that time the Senate proceed immediately to the motion to invoke cloture on the conference report to accompany H.R. 2415, the bankruptcy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2001

The PRESIDING OFFICER. Under the previous order, the clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 126) making further continuing appropriations for fiscal year 2001 and for other purposes.

The PRESIDING OFFICER. There will be 15 minutes equally divided.

The Senator from Alaska.

Mr. STEVENS. Mr. President, this is a continuing resolution to give us until the close of business Thursday to complete the activities of this Congress. That is a large order, but I think it can be done if all Members of the House and Senate will cooperate.

We have in conference the major bill, the Health and Human Services bill, which we were prepared to act upon, but there were four basic differences in the conference that we could not resolve with the White House before the election. We are working on that. I can report to the Senate that our majority leader has just given us information about the meeting that he and other leaders had with the President last evening. I can tell you from my perspective, based on the report of the majority leader, I believe it is possible to finish by Thursday night if there is a will in both the House and Senate to do so.

It is my judgment—I am sure we are going to hear from the distinguished Senator from West Virginia that he shares this opinion—that the work of this Congress should be finished by this Congress. We put a lot of time and effort into these bills that are still pending in conference. I do believe it is possible for us to finish if all Members will cooperate with us.

The President has consented to making some reductions in the amounts proposed in these bills before the election. We are working on that with the staff of the House now in the appropriations process. I believe we will be able to report back sometime before the close of business today if the progress has led us to the point where we could file, or ask the House to file, a conference report tonight so it could be taken up by the House tomorrow.

Again, I will be pleased to report later. For now, it is my urging that Members of the Senate work with us to try to finish the business of this Congress, including the passage of all of the remaining appropriations bills, by the time given in this continuing resolution, which is the close of business Thursday.

I reserve the remainder of my time and suggest the absence of a quorum, the time not to be charged until the Senator from West Virginia claims his time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Currently, there are 5 minutes 14 seconds remaining on this side and 7½ minutes remaining on your side.

Mr. BYRD. I thank the Chair.

Mr. President, the Senate has now before it the latest in a series of continuing resolutions in order to keep the operations of the Federal Government going for another 48 hours. This will be the 17th continuing resolution for the fiscal year which began on October 1 of this year—the 17th continuing resolution for the fiscal year. This is the largest number of continuing resolutions that has ever been required in order to enable Congress to complete its work on the 13 annual appropriations bills.

As Senators are aware, we have yet to complete action on 4 of the 13 fiscal year 2001 appropriations bills; namely, the Commerce-Justice-State-Judiciary, Labor-HHS, legislative branch, and Treasury-General Government appropriations bills. We are now into the third month of fiscal year 2001, and we have yet to get our work done on these very critical appropriations bills.

It seems to me that the best way to set the tone for the 107th Congress, which will begin on January 3, 2001, would be to finish the work of the 106th Congress immediately. The time has long since passed for us to end partisan bickering over issues in these various appropriations bills. Why should it take so long to reach a compromise on the remaining issues? What in the world is keeping us from completing action on these appropriations bills 2 months after the new fiscal year has begun?

We have been aware of those issues for months. Most of these issues do not involve appropriations at all. Rather, they involve legislative riders which have nothing to do with the operation of the Federal Government as far as funding levels are concerned. Of course, legislative riders are not new. The Wilmot Proviso was such a rider back in the days when slavery was being discussed.

These issues involve ergonomics, immigration, tobacco lawsuits, et cetera,

matters that properly belong in the jurisdiction of other committees. We should not continue to tie up appropriations bills for a fiscal year that began more than 2 months ago—hag-gling over issues such as these.

The partisanship should end right now, right here this week, on these remaining appropriations bills. We should not permit ourselves to delay action on these matters until the next Congress or the next administration. The time has come for this 106th Congress to complete its work now; clean the slate so that the 107th Congress and the new administration can begin with a fresh start.

We have a tremendous opportunity here. We can demonstrate to the American people and to the world that even though the Presidential election is still in the courts, the people's branch—the people's branch—is here, the people's branch is functioning, and the people's branch intends to get our work done. We can demonstrate to the Nation and we can demonstrate to the world that there is stability in this Government even though the next President's name and the next President's party are yet not known.

The way we wind up this year's business can be a constructive harbinger for the way we approach next year's business with a new President and a closely divided Senate and House. We can start now to reassure the American people that we can stop the bickering, stop the wrangling, and begin to behave as adults instead of as 4-year-olds.

We can show the new Senators of both parties how to reach across the aisle for the good of the Nation. Comity and compromise will have to be the watchwords in the new year, and we can begin practicing that new tone right now.

I hope we can pass these four remaining appropriations bills over which the distinguished chairman, over which the staffs, over which the Members of both parties, both sides of the aisle, have spent hours and hours and days in efforts to complete the work, and I hope we can go home to ponder our new responsibilities. Repeatedly passing 48-hour continuing resolutions, or 24-hour continuing resolutions, and continuing to try to play for some partisan advantage sets exactly the wrong tone for next year's changed circumstances.

Senators, let us employ our intellects and our considerable talents for the good of the Nation. Let us do our duty and fund the Government, as we were expected to be doing. There is no advantage to putting off this work, no advantage whatsoever to putting it off any longer. There is only the very possible danger of poisoning the well from which we all must drink in a new and very different reality setting next year.

So I urge my colleagues on both sides of the aisle to work together with Chairman STEVENS and myself and with the leadership in seeing to it that we work together in a spirit of honest compromise to wrap up the remaining

matters on the last four appropriations bills and get them to the President's desk for his signature this week.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I join with Senator BYRD on most of the comments he made. I am constrained to point out that I did argue with the White House at length not to put us through the process of having 1-day CRs. It is true this is the 17th one, but the bulk of them were for 1 or 2 days. And it takes us 2 days to pass one resolution, 1 day in the House and 1 day over here. As a consequence, we haven't been able to get anything done because we have been busy passing continuing resolutions, so we work the next day on another continuing resolution.

I share the frustration of the Senator from West Virginia with this process. The Senator is absolutely right; we are going into another year in just a matter of days, a time when this body will be split, 50 votes on each side of the aisle. In our Appropriations Committee, we work basically on a bipartisan basis. What we are asking is for the Senate and the House to work together now in these next 2 days and let us wind up this business. The State-Justice-Commerce bill is finished, for all intents and purposes. The Treasury-Postal and legislative bill, that was ready to be signed—and it wasn't signed because of a disagreement over the Health and Human Services bill—we were told would have been signed. So as a practical matter, we have one bill that is really in controversy, and that is the Health and Human Services bill.

As I reported to the Senate before the Senator returned, I tell my good friend, Senator BYRD, our leaders reported that the President has indicated a willingness to agree to some changes in that bill to meet the objections that were raised to the version of the bill prior to the election. I think we can do that today.

Unfortunately, once again we are in a situation where both Houses are involved in elections for the coming Congress. We will be involved tomorrow in indoctrination of new Senators for the next Congress. I am told that if we don't finish by Saturday, we will have to finish by Saturday, which means we will have to spend all day Thursday working on another continuing resolution to be able to stay until Saturday. This foolishness has to stop, if we are going to wind down this Congress and finish the business of this Congress in this calendar year. I think we can.

We are waiting now, Senator BYRD and I, to get together with Members of the House. Both Houses are involved in meetings for organization of the next Congress. I plead with Members to help us wind this down. We are within literally just two or three issues to be resolved on the Health and Human Services bill, and I think we can put them

all together. I hope we will bring one resolution before the House and the Senate to approve all three bills. That can be done by Thursday night if there is goodwill here and the comity Senator BYRD has asked the Senate to show at this time.

For myself, I look forward to the challenge of working with a 50-50 balance in the Senate. It is going to be a great challenge for all of us, and it is going to be an opportunity for us to demonstrate to the American public that the Senate is still the basic portion of our Government that deals with resolution of conflicts. This is supposed to be a debating society, a debating body. I think it will be for 2 years to come. We are going to be doing our business right here on the floor, to a great extent. With the help of the Senate, we will finish this bill.

Does the Senator wish any more time?

Mr. BYRD. Mr. President, if the Senator will yield.

Mr. STEVENS. Yes.

Mr. BYRD. I think we are all aware of the monstrous hoax that has been pulled upon the American people, the hoax that this year was the opening year of the 21st century. This year is the closing year of the 20th century. That is according to the old math as well as the new math. I hope it won't be said that the Senate dabbled and dabbled and waited until the 21st century, which begins on January 1, to complete the appropriations bills of the 20th century. Let's be about our work.

Mr. STEVENS. Mr. President, the Senator makes a good point. I will not argue with the Senator about which century it is. I do believe that next year is the first year of the next century. I join him in that.

Mr. President, I yield back the remainder of any time I may have.

The PRESIDING OFFICER. All time has expired. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading and was read the third time.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the joint resolution pass? The clerk will call the roll. The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

The PRESIDING OFFICER (Mr. CRAPO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 295 Leg.]

YEAS—99

Abraham	Allard	Baucus
Akaka	Ashcroft	Bayh

Bennett	Gorton	McConnell
Biden	Graham	Mikulski
Bingaman	Gramm	Miller
Bond	Grams	Moynihan
Boxer	Grassley	Murkowski
Breaux	Gregg	Murray
Brownback	Hagel	Nickles
Bryan	Harkin	Reed
Bunning	Hatch	Reid
Burns	Helms	Robb
Byrd	Hollings	Roberts
Campbell	Hutchinson	Rockefeller
Chafee L.	Hutchison	Roth
Cleland	Inhofe	Santorum
Cochran	Inouye	Sarbanes
Collins	Jeffords	Schumer
Conrad	Johnson	Sessions
Craig	Kennedy	Shelby
Crapo	Kerrey	Smith (NH)
Daschle	Kerry	Smith (OR)
DeWine	Kohl	Snowe
Dodd	Kyl	Specter
Domenici	Landrieu	Stevens
Dorgan	Lautenberg	Thomas
Durbin	Levin	Thompson
Edwards	Lieberman	Thurmond
Enzi	Lincoln	Torricelli
Feingold	Lott	Voinovich
Feinstein	Lugar	Warner
Fitzgerald	Mack	Wellstone
Frist	McCain	Wyden

NOT VOTING—1

Leahy

The joint resolution (H.J. Res. 126) was passed.

BANKRUPTCY REFORM ACT OF 2000—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. There are now 7 minutes equally divided before the next vote.

The Senator from Iowa is recognized. Mr. GRASSLEY. Mr. President, I yield 3 minutes of the 5 minutes on our side to Senator BIDEN.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I will be reading from these charts some of the provisions of current law for women and children. We developed these child support provisions with Senators TORRICELLI, DURBIN, and DODD on the Democrat side. We have worked very hard to accommodate both sides.

For women and children, we give child support first priority status—up from seventh in line—meaning they will be paid ahead of the lawyers.

We make staying current on child support a condition of discharge.

We make debt discharge in bankruptcy conditional upon full payment of past due child support and alimony.

We make domestic support obligations automatically nondischargeable, without the costs of litigation.

We prevent bankruptcy from holding up child custody, visitation, and domestic violence cases.

We help avoid administrative roadblocks to get kids the support they need.

Those are some of the things we are doing for women and children in this bankruptcy bill.

There are more improvements over current law for women and children.

We make payment of child support arrears a condition of plan confirmation.

We provide better notice and more information for easier child support collection.

We provide help in tracking down deadbeats.

We allow for claims against deadbeat parents' property.

We allow for payment of child support with interest by those with means.

We facilitate wage withholding to collect child support from deadbeat parents.

We make great strides against deadbeats.

Pro-consumer provisions:

New disclosures by creditors and more judicial oversight of reaffirmation agreements, to protect them from being pressured into onerous agreements;

A debtor's bill of rights, to prevent bankruptcy mills from preying upon those who are uninformed of their rights;

New consumer protections under the Truth in Lending Act, such as required disclosures regarding minimum monthly payments and introductory rates for credit cards.

We provide penalties on creditors who refuse to renegotiate reasonable payment schedules outside of bankruptcy.

We have penalties on creditors who fail to properly credit plan payments in bankruptcy.

We have credit counseling programs, to help avoid the cycle of indebtedness.

We provide protection for educational savings accounts.

We give equal protection for retirement savings in bankruptcy.

This is a very good bankruptcy bill. We have worked hard to bring both sides together. It is something that is absolutely needed in this country.

I hope our colleagues will support us today in this motion to reconsider.

I reserve the remainder of the time in favor of Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I understand that I have possibly up to 2 minutes.

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. BIDEN. Mr. President, I will not use all of the time.

We will hear from our friend from Massachusetts and others on this floor about how this has harmed women and children in support payments. That is simply, flat out not true. We have improved the position of women. We have improved the position of children. We have improved the position of people who do not have much money.

We have included a safe harbor provision, saying that unless you meet a certain minimum income level, you don't even get considered in this process.

This is a good bill subject to a lot of exaggeration.

My good friend from New York had a very good provision which I supported relating to abortion clinics and bombs.

There can't be any intimidation of any kind.

You cannot declare bankruptcy in this country under present bankruptcy law if you engage in activities which under the FACE Act are prohibited.

There is no court in the Nation that has said that. People are trying to get out of bankruptcy. They are trying to be discharged. But the courts have not discharged them and will not discharge them.

I would like to see the Schumer amendment become law. But, in fact, it is not necessary to protect the very people we want to protect and to hold responsible those who engage in that kind of activity under the FACE Act.

I hope reason will overcome passion. I hope the truth will overcome exaggeration. But I have been in this institution 28 years and who knows?

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota has 5 minutes.

Mr. WELLSTONE. Mr. President, being able to file chapter 7 bankruptcy is a major safety net for middle-class, low-income families.

I have heard my colleagues on the other side speak, but the truth is that every single civil rights organization, labor organization, consumer organization, and women's organization opposes this piece of legislation. It goes too far. It is too harsh. It is significantly worse from a bill that we once passed that indeed was much better.

I have a letter signed by 116 law professors who have said this bill is too harsh and should be defeated.

Finally, colleagues, this bill came to the Senate in a State Department embassy conference report which was gutted. This whole process is absolutely outrageous, and Senators who care about this legislative process and this institution should vote against cloture.

I yield 1½ minutes to my colleague from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, it is fair in a time such as this to ask who the beneficiaries of this legislation are going to be and who is going to lose.

As the Senator from Minnesota pointed out, there is not one single organization that advocates for children that supports this legislation. There isn't a single organization that advocates for women that supports this piece of legislation. There is not one organization that represents working men and women that supports this legislation. There is not one group representing consumers that supports this legislation.

It fails the basic and fundamental test of fairness.

There are over 116 bankruptcy experts from around the country, representing all different views on this, legislation who have basically underscored what I have said. This is written in their letter. They say:

We write yet again to bring the same message:

The problems with the bankruptcy bill have not been resolved, particularly those provisions that adversely affect women and children.

Then it continues on page 2.

Granting women and children a first priority for bankruptcy distribution permits them to stand first in line to collect nothing.

That is what this is really all about.

I hope that at this period in our election process we are not going to be out there trying to shortchange hard-working families, the children and women in our society, and the consumers of this Nation.

Mr. WELLSTONE. Mr. President, I yield 1 minute to Senator SCHUMER and 1 minute to Senator DURBIN.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, let me make it clear that without the Schumer amendment this bill does not help women. It would be the leading dagger in keeping a woman's right to choose.

If women support this, why do 16 of the leading women's groups sign a letter saying vote against the bill without the Schumer amendment. Why would we allow those who committed such crimes as posting the Nuremberg files and virtually urging people to harm doctors to escape under the cloak of bankruptcy?

We will go back to the days when 80 percent of the clinics are closed in America and a woman's right to choose is gone.

Whatever you feel about the particulars of the bankruptcy bill—and I agree with the Senator from Massachusetts about that—whether you are pro-choice or pro-life, people ought not take the law into their own hands and then hide behind the cloak of bankruptcy.

Members must vote no on this bill until the Schumer amendment is added back. It passed 80-20 originally on this floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. This bankruptcy bill has been a mangy stray dog that won't get off the back porch.

Let me tell you what is wrong with the bill. Does it improve the position of women and children? Sure, but it also improves the position of credit card companies, competing with the women and children for limited funds.

Does it close the homestead loophole? A little bit, but it allows those who are wealthy to find their way around their legal obligation in bankruptcy.

I have coauthored, cosponsored, and voted for bankruptcy reform when it was bipartisan and balanced. This bill is not. This bill was written by a conference committee dominated by one party. It is being shoved down our throats. It is time to shove that old dog off the back porch.

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture on the conference report to H.R. 2415.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2415, a bill to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes:

Trent Lott, Chuck Grassley, Jeff Sessions, Richard Shelby, Fred Thompson, Mike Crapo, Phil Gramm, Jon Kyl, Jim Bunning, Wayne Allard, Thad Cochran, Craig Thomas, Connie Mack, Bill Frist, Bob Smith of New Hampshire, and Frank Murkowski.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the conference report accompanying H.R. 2415 shall be brought to a close?

The yeas and nays are required under this rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FITZGERALD (when his name was called). Present

Mr. REID. I announce that the Senator from Vermont (Mr. LEAHY), is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 296 Leg.]

YEAS—67

Abraham	Enzi	McConnell
Allard	Frist	Miller
Ashcroft	Gorton	Murkowski
Bayh	Graham	Nickles
Bennett	Gramm	Robb
Biden	Grams	Roberts
Bingaman	Grassley	Roth
Bond	Gregg	Santorum
Breaux	Hagel	Sessions
Brownback	Hatch	Shelby
Bunning	Helms	Smith (NH)
Burns	Hutchinson	Smith (OR)
Byrd	Hutchison	Snowe
Campbell	Inhofe	Specter
Chafee, L.	Jeffords	Stevens
Cleland	Johnson	Thomas
Cochran	Kerrey	Thompson
Collins	Kyl	Thurmond
Craig	Lincoln	Torricelli
Crapo	Lott	Voinovich
Daschle	Lugar	Warner
DeWine	Mack	
Domenici	McCain	

NAYS—31

Akaka	Harkin	Moynihan
Baucus	Hollings	Murray
Boxer	Inouye	Reed
Bryan	Kennedy	Reid
Conrad	Kerry	Rockefeller
Dodd	Kohl	Sarbanes
Dorgan	Landrieu	Schumer
Durbin	Lautenberg	Wellstone
Edwards	Levin	Wyden
Feingold	Lieberman	
Feinstein	Mikulski	

ANSWERED "PRESENT"—1

Fitzgerald

NOT VOTING—1

Leahy

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 31, and 1 Senator responded present. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH AND EDUCATION APPROPRIATIONS

Mr. HARKIN. Mr. President, I rise to continue to address the key pending piece of legislation that has not been enacted this year. It has been passed by both the House and Senate. In the conference committee, we finished our work. But it is sort of hanging in limbo. That is the funding bill for Education, Health and Human Services, other important programs such as the National Institutes of Health, and, of course, the low-income heating energy assistance program which is so vital to many of our low-income and elderly citizens who live in the northeastern part of the United States and in a lot of the other northern parts of America.

That bill right now is in limbo. We passed the appropriations bill in the Senate; the House passed the bill. Then ensued about 4 months of very tough negotiations between the House and the Senate, culminating in a marathon session that took place one weekend before we left, a couple weeks before the election, in which we agreed. When I say "we," I mean Chairman STEVENS of the Appropriations Committee; Senator BYRD, our ranking member on the full Appropriations Committee; Senator SPECTER, who is the chairman of the education appropriations subcommittee; and me. I am the ranking member on the subcommittee. On the House side, we had Chairman YOUNG of Florida, the chairman of the full Appropriations Committee; we had Congressman PORTER, who is chairman of the subcommittee on that side; Congressman OBEY, ranking member on the subcommittee, and also ranking member of the full Appropriations Committee. We all agreed.

It was a Sunday, and we were there until 2 a.m. on Monday morning. We finally agreed. The negotiations were heated. Many times we were hung up on certain things, but in the end we came up with a good compromise.

That was Monday morning. That was right before we left for the election. Less than 12 hours later, a faction within the House Republican leadership, led by Congressman DELAY and Congressman ARMEY, decided to renege on that bipartisan compromise. We were all baffled by this sudden decision. We spent many late hours compromising, negotiating, giving and taking.

I think we came to an honorable, mutually satisfactory agreement. Again, no one was 100-percent happy with it.

For example, I was extremely displeased that an important regulation protecting workers from workplace injuries such as carpal tunnel syndrome was delayed yet again, for the third year in a row, despite the fact that last year's conference report contained explicit language stating it would not be delayed any further. Well, Republicans insisted we try to delay this yet again.

Each year, over 600,000 American workers suffer disabling, work-related, musculoskeletal disorders. This costs employers \$15 billion to \$20 billion a year in compensation. It may cost our economy upwards of \$60 billion annually. I was especially disappointed because this so-called ergonomics provision was a nonpartisan proposal initiated under Labor Secretary Elizabeth Dole, a Republican, in the Bush administration 9 years ago.

Yet while I was displeased with this particular aspect of the bill, I was satisfied that the bill contained important provisions to improve education for our kids, improve health care for women and the elderly, fund needed research at the NIH, and safeguard Social Security and Medicare—provisions that are far too important to be destroyed by last-minute partisan politics.

In this bill, we had the highest increase ever in funding for education, with 35 percent more funding for class size reduction. It meant 12,000 new teachers would be hired across America. That is what was in the bill. There was school modernization funding that would generate about \$9 billion in needed school repairs to some of our older schools; \$250 million to increase accountability to turn around failing schools; a 40-percent increase in grants to States for the education of kids with disabilities and special needs; the largest increase we ever gave for IDEA, from \$4.9 billion to \$6.9 billion; the largest increase ever for Pell grants, to make college more affordable to working families. That is what was in this bill—the largest increase ever for Pell grants; the biggest increase for grants to States for educating kids with disabilities; school modernization, the first time ever, which would have funded about \$9 billion in needed school repairs; 35-percent funding for class size reduction, the most ever. That is just in education.

In child care, again, was a record amount of money, an additional \$817 million that would have covered 220,000 more children in America to have child care; afterschool care, \$546 million in this bill, so that 850,000 children in America could have some form of afterschool care.

Health care. We added money so that 1.5 million more patient visits could take place at our community health centers around America. We put in an additional \$18 million for breast and cervical cancer treatment and screening, an additional \$1.7 million for NIH research—the highest level we have ever given, the biggest increase ever for funding at the NIH.

I mentioned earlier a record amount for LIHEAP, the Low Income Home Energy Assistance Program, so that the elderly and low income in the northeastern parts of our country can get the heat they need this winter.

That is what is in the bill. It addresses the educational needs of our country, child care, health care, medical research, and, as I said, things such as home heating for the elderly and low income.

Well, each side won some battles; each side lost some. Isn't that what compromise is about? Isn't that what bipartisanship is about, where I don't get my way all the time and you don't get your way all the time? Maybe I will get some of what I want and maybe you will get some of what you want. That is what bipartisanship is about. We hear all this talk about bipartisanship. It looks as if next year the Senate is going to be right down the middle, 50-50, for the first time ever. If there is ever a time that we need bipartisanship, where we have to mentally understand that we Democrats don't get our way all the time and you Republicans don't get your way all the time but we work these things out, it is now. That is what we did on this appropriations bill.

As I said, it took us almost 5 months of tough negotiations, with strong feelings about this. Finally, we shook hands and we all signed our names to it and we walked out of the room. Then, two Republicans on the House side, Mr. DELAY and Mr. ARMEY, turned thumbs down on it after we had done our work to reach a bipartisan agreement.

Well, if we are going to set the stage for working closer together next year, I suggest we start here and now with the appropriations bill for education. We have a bipartisan bill. Republicans and Democrats who worked on it for 5 months know all the line items that are in it. We all agree that some are progressive, some are conservative, and there are moderates—almost the entire spectrum of the political ideology was involved in this bill. Yet we all agree, except Mr. DELAY and Mr. ARMEY on the House side.

Why should two people in a position of power be able to tell the entire Congress and, in fact, the entire country that we are not going to have this bipartisan agreement that we reached, on which we worked so hard? Two people say that we are not going to have it.

Congressman YOUNG, with whom I served in the House, has been a distinguished House Member for a long time. He and I don't agree philosophically on a lot of things, but we worked it out. Along with Congressman OBEY, Senator STEVENS, and Senator BYRD, we worked these things out.

So I hope we can tell the American people on the crucial issues of education, health care, and child care, yes, we got the message from this election. Let's work in a bipartisan way, just as we did on this bill, and let's send this

bill down to the President for his signature.

Some are now suggesting, I hear, that we adopt a full year's continuing resolution, that we disband all of the work we did on this bill and just go to a full year's continuing resolution. Not only would that be an abdication of our responsibility and send exactly the wrong message, but it would be exactly the wrong start for the next 2 years of an evenly divided Senate and a closely divided House. As I said, it would throw out one of the best examples of bipartisan cooperation that we were able to muster this year. Even worse, a full year's continuing resolution would be a step backward for the education of our kids and the health care available to all Americans. If we had a continuing resolution, it would wipe out all the gains I spoke of, including class size reduction, Head Start, and breast and cervical cancer treatment and screening.

I have a chart which shows one of the things that would happen if we do not adopt the appropriations bill on education and health.

As I said, we have the largest increase ever for NIH funding. Why did we do that? We did that because this Congress a few years ago voted overwhelmingly that we were going to double the funding in 5 years for the NIH. Republicans voted for it and Democrats voted for it.

Both Senator SPECTER and I took that charge. We have been adding that money to double that. This year we have a \$1.7 billion increase for NIH funding to get it up to double.

That increase means that under the current bill about which I am speaking we will be able to fund 9,500 new research project grants over and above what we have had in the past.

If we have just a continuing resolution, we will be able to fund only 5,000, and 4,500 new research grants will not be funded next year if we don't get this bill to the President and have just a continuing resolution.

What does that mean? It means things such as Alzheimer's disease, child cancer, prostate cancer, breast cancer, childhood diabetes, HIV, Parkinson's disease, cerebral palsy—I have a whole list. I will not read the whole list—all of the things that we are very close to making breakthroughs on—spinal cord injury is another one—and are very close to making tremendous breakthroughs with the new tools that we have—the human genome project is being finished; stem cell research is being done. We are close to making tremendous breakthroughs. Who knows? One of these 4,500 grants that wouldn't be funded could be the one key that unlocked the door to which we could find interventions and a cure for Parkinson's disease. It could be one of those 4,500. But it won't be funded if we don't pass this bill. That is what is at stake.

These are the things that won't be funded: Research to develop drugs to prevent Alzheimer's disease, clinical

trial efforts on childhood cancer, prostate cancer, breast cancer, childhood diabetes, and HIV. They are just a few of the things that would be cut back. A full year's continuing resolution would cut NIH research by 47 percent. Forty-five hundred new research project grants would not be funded.

I wanted to take this time because this is our first day back. We were back once since the election, but this is the first time we have been back to really get some legislative work done.

The Christmas season is about upon us. People will be anxious to get out of here and get home to spend time with their families and constituents. But we can't shortchange the American people.

Are we going to shortchange our kids? Are we going to say to the teachers across America that we are not going to reduce class size? Are we going to say to our property taxpayers around the country that we are not going to help them rebuild their crumbling schools; that they will have to take it out of their property taxes?

Are we going to say to families hard pressed, who need school care for their kids and who may live in a place where they really need some afterschool care, that we are not going to fund that either?

What about a working family that has a few kids and one of them is doing well in school and wants to go on to college but they can't afford it? They need a Pell grant. Yet we are not going to give the additional money for the Pell grants.

What about our school systems that are hard pressed around this Nation because more and more of the burden of educating kids with special needs is falling upon our local property taxpayers and they are finding it more and more difficult to meet their constitutional requirements of equal education for kids with disabilities but they aren't able to fund it because the property taxpayers are overburdened as it is?

We have a 40-percent increase in this bill to help our local schools make sure they can meet their constitutional obligation to educate kids with disabilities. We have a continuing resolution, and there that goes.

I think the election is very clear. People in America want us to operate in a bipartisan fashion. This is the opportunity for us to show them that we mean it.

We have a bipartisan bill passed by the Senate, passed by the House, worked out in conference committee, and agreed to by Republicans and by Democrats. Are we going to say that two people in the majority party in the House are able to say they don't like it? Is that what bipartisanship is going to be about around here—that we can all work in a bipartisan fashion but when it gets to the higher echelon of leadership in the House, they don't like it and they can operate by themselves? Is that what bipartisanship means? I

don't think that is what the American people think bipartisanship means.

I believe the American people believe bipartisanship is exactly what we did on the education bill. We worked hard on it and lost. We negotiated. We sat and we sat and we talked and talked. We left and came back.

We finally worked it out—not to my satisfaction, not to the satisfaction, I am sure, of Senator SPECTER, and not to the satisfaction, I am sure, of any one of us.

We all had different ideas of what should be in it, but we all gave a little bit. In giving a little bit, we were able to get a bipartisan bill.

I say to my friends on the Republican side—I shouldn't say it here; we had agreement in the Senate. I would be preaching to the choir. But I say to my Republican friends on the House side that if you really want to show the American people that we can work in a bipartisan spirit, this is the chance to show it—with the education bill.

What a great Christmas gift this would be to the hard-working families of America, to our kids, and to the teachers. What a great Christmas gift this would be to millions of Americans who are suffering from debilitating illnesses such as Parkinson's, spinal cord injuries, diabetes, AIDS, and cancer. What a great Christmas gift it would be to them to say we are not going to back down and that we are going to fund the National Institutes of Health; we are going to put the money into this basic research to find the cures that we know are there.

I think that is the Christmas present Congress ought to give to the American people.

I am hopeful that before this week is out cooler heads will prevail and that we will take this bipartisan bill on education and health and send it down to the President, who has indicated that he would indeed sign it. That would be the best Christmas present we could give to the American people.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ABRAHAM). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

PARK RINARD MEMORIAL

Mr. HARKIN. I should like to take a few moments today to honor the life of a great Iowan and a great American—a man who dedicated many years of his life in service to the people of Iowa and our nation—our friend Park Rinard.

It's been said that on the day John F. Kennedy died, a tailor in New York put a sign on the door of his shop that read, "Closed Due to a Death in the Family."

Well, that's how I felt when I heard that Park had passed away, like we had had a death in our family.

Unfortunately, I was unable to attend Park's funeral. It was held during the week before election day, and I had

committed to campaign for AL GORE and other Democratic candidates in Iowa.

I felt awful that I would be missing the service, and I thought about taking the day off to attend it.

But then it occurred to me—by hitting the road and working to get good Iowa Democrats elected, I was paying my respects just the way Park would have wanted.

Park Rinard was a legend in Iowa Democratic politics. He began his political career back in 1957 as an aide to Governor Herschel Loveless.

He then befriended a rough-hewn, young, Iowa truck driver who had a beef with the state's trucking policies. Park persuaded this disgruntled fellow—a man by the name of Harold Hughes—to join the Democratic party and run for office. The rest, as they say, is history, and Hughes later referred to Park as his tutor in government.

Park went on to advise Senator John Culver, Congressman Neal Smith, and many others who have made their mark on our Nation.

Mr. President, when I think back on Park's career, I'm reminded of something that Adlai Stevenson once said: "Every age needs men who will redeem the time by living with a vision of things that are to be." That's a perfect description of Park Rinard.

Like my hero, Hubert Humphrey, Park believed that "... the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life—the sick, the needy . . ." And Park had a vision of government big enough and bold enough to encompass all of them.

He envisioned a government that trusted citizens—that believed in their strength and capacity to learn, work and serve a government that would invest in people and leave the potential of no citizen untapped. Through his work with Governor Hughes, Park transformed that vision into the wave of progressive legislation that characterized the "Golden Age" of Iowa politics.

During these years, Park helped establish Iowa's community college system, create the Iowa Civil Rights Commission, and appoint the first black state judge in Iowa. He worked to grant home rule for cities, increase spending for schools, and abolish the death penalty. And he successfully convinced Governor Hughes to oppose the Vietnam war. These achievements were Park's proudest legacies, and some of his most enduring.

But Park also had a vision for America—a vision which he spent the remainder of his career fighting for in Congress. He believed deeply in expanding women's rights, and he was a strong supporter of the equal rights amendment long before it penetrated the popular consciousness. He also spoke passionately about ending dis-

crimination against gay Americans, long before many others.

But make no mistake about it, Park wasn't a knee-jerk liberal, not by a long shot. He just believed in a fundamental, basic, golden rule kind of fairness. That was his moral compass, and he steadfastly followed where it led. It is therefore unsurprising that Park had such disdain for polls and focus groups. For Park, politics wasn't about pandering and spin, it was about leadership and telling the truth.

And tell the truth he did. No matter whom he was speaking with, Park Rinard did not mince words. He was once asked by a hostile audience how his boss could even consider supporting food stamps for union strikers. Park simply replied, "hungry people are hungry people."

A gifted speechwriter, Park wielded the written word as forcefully as the spoken. He spent hours pecking away at his old manual typewriter, massaging policy into poetry often finishing a speech at the last possible moment, sometimes just minutes before his boss was scheduled to deliver it.

Park never hesitated to use his gift for strong language to stand up to his bosses—some of whom were nearly twice his size—when he thought they were wrong.

Park once told a fellow staffer, "Remember, you might work for one particular Senator, but your paycheck is from the Senate of the United States, and every employee of the Senate works for the people of America." That was Park's ultimate loyalty—to the people his bosses served. When Park stood up to his bosses, he was standing up for the American people.

And perhaps most extraordinary in this city that's seen its share of egos and ambition is that Park worked his magic entirely behind the scenes, happy to slip through back doors and pound out details in back rooms. Park felt that, as Ralph Waldo Emerson once noted, "There is no limit to what can be accomplished if it doesn't matter who gets the credit." He never cared who got the applause and the pat on the back for his own hard work. He just cared about doing right.

Park was fundamentally humble. He spent a lot of time among giants—Governors, Presidential candidates, great political leaders—but his ego never swelled to match. Park believed, as the saying goes, that "you don't have to be who's who to know what's what."

He was as comfortable lending a hand to a lost tourist, saying a kind word to a new intern, or shooting the breeze with a cafeteria employee as he was chewing out a Senator whom he felt had gone awry. There were no small people with Park Rinard.

All people mattered to Park—and his family mattered most of all. He was a devoted husband to his wife Phyllis, a proud father to his children Judy, David and Grant, and a doting grandfather to his grandson David Bayard. Their generosity in sharing him is ap-

preciated by all of us enriched by his life.

The poet Henry Wadsworth Longfellow once wrote that "Lives of great men all remind us we can make our lives sublime, and, departing, leave behind us footprints on the sands of time." Park was a great man. And he left lasting footprints on the political landscape of Iowa and America.

Today, in part because of the foundation he laid, Iowa leads the nation in education and literacy, and it's ranked as one of the top ten states to raise a child. And today, because of the dialogues he helped begin, the idea of banning discrimination against women and minorities or passing hate crimes laws no longer seems novel, but natural.

These are Park Rinard's footprints—echoes from a golden time in our history when this slight, softspoken man made it his mission to create a more humane world for the most vulnerable among us.

With his words and ideas, both written and spoken, Park Rinard appealed to the best in those he worked for and stood for nothing less.

We are lucky that so many great men and women heeded his call and made good on his dreams.

I ask unanimous consent to have printed in the RECORD a copy of the eulogy read by Senator John Culver at Park Rinard's funeral.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EULOGY FOR PARK RINARD

(By John C. Culver, November 3, 2000)

I am very honored that the family has asked me to say a few words today in memory of Park and in celebration of his remarkable life. He dearly loved his wife Phyllis for fifty-five years and deeply revered her knowledge of and passion for the arts. He took great pride in daughter Judy's work at the National Geographic and Smithsonian as a writer, and, of course, his grandson David Bayard. Son Jeff's career at the Library of Congress and the Smithsonian gave him enormous satisfaction. Park and Phyllis' devotion to their son Grant during his life was inspiring to all.

On behalf of everyone here, I want to sincerely thank the Rinard family for sharing Park who so greatly enriched each of our lives.

Senator Harold Hughes once described Park Rinard as "a quiet, peaceful man with a core of steel and a 'heart of gold.'" He also said, "Park was the toughest man he ever met."

When he worked for us Harold Hughes and I were both over 6'2" tall and unfortunately usually over 250 lbs. It was also falsely rumored that on occasion we could be somewhat intimidating. Harold and I had one other thing in common. We were both scared to death of Park—who was only half our size. I am convinced that what we respected was Parks' integrity and what we feared was that we would fail to live up to his expectations.

Park believed that being a good politician required one to lead and educate public opinion and not just to reflect it. Park always said that one of his primary responsibilities was to tell the elected officials he served what they didn't want to hear. Theoretically I agreed with him. However, there were times, I have to confess, that I found his zeal

in carrying out this duty a bit excessive. But certainly his good judgment and candor served me well as I know it did Hershel Loveless, Harold Hughes, Bonnie Campbell, Neal Smith and countless others both in and out of public office.

As many of you know, Park had been secretary, friend, and companion to Iowa artist Grant Wood, who reportedly Latinized his name and called him Parkus. Several original Wood paintings graced Park's small office in Capitol Hill.

Among the many roles Park played for Wood was to model for some of his paintings. Apparently, on one occasion, he actually posed as George Washington. Now Park was a wonderful man and Grant Wood was a brilliant artist. But somehow that particular collaboration never survived to replace Gilbert Stuart's famous portrait of the Nation's first President.

Park was responsible for the transformation of Grant Wood from a shy individual, who avoided public speaking, into the national spokesman for Regionalism as a significant American Art Movement. When Grant Wood died, Park was there. He promised Wood that he would look after Grant's sister, Nan, which he did for the rest of her life. Nan's last conversation with Park was when he called to tell her that the U.S. Postmaster General had approved use of a Grant Wood painting for a postage stamp. The image of the stamp was Young Corn and Park said, "The painting represented Iowa as a state that nurtures its young people that they may grow to their full potential."

Park was a beloved figure because he treated everyone—regardless of their status in life—with genuine warmth and kindness. Once in a while, I couldn't find him, and someone would track him down in the Senate office basement, where he was providing personal counseling to one of the cafeteria workers. His son Jeff reminded him that his supportive advice, was often, "Don't lose your nerve."

Over the years, Park befriended an elderly woman named Ann, who operated a small newsstand where he would buy his newspapers each evening. One day Ann was upset because she had not received her New York Times delivery. Park was distressed because this would be a significant economic blow to her modest income. A group of wealthy N.Y. businessmen were coming that day to Washington to attend a conference Hughes was sponsoring on Vietnam. Park immediately called them and ordered them to bring a large bundle of New York Times newspapers with them. Thanks to Park, Ann did not lose a single sale that day!

Park loved to play tennis and he enjoyed cooking but his real passion was his garden. He was particularly proud of his blueberries and would bring boxes of them into the office and the staff would eat them out of paper cups on their desks during the day. One day Ed Campbell got a call from the Fairfax Hospital that Park would be late to work because he had been in an automobile accident. Ed rushed to the hospital where he found Park with a gash over his eye. Park explained that a newspaper flew onto his windshield and blinded him and his car hit a telephone pole. Ed said, "Park's only concern was that he could not deliver his prized blueberries and tomatoes to the office as they were now splattered all over the interior of his car."

One of the worst-kept secrets in the 1960's was that Park was Governor Hughes' right hand man, even though he held no official portfolio in state government, and was actually working with the Iowa League of Municipalities. Park operated not from a desk at the state House but downtown from a booth in King Ying Low's restaurant. The es-

tablishment didn't have a liquor license. Whenever I occasionally joined Park there for lunch, the proprietor, Park's close Chinese American friend, Louie Lejon, would inquire, "Mr. Rinard, your usual?" Park would respond, "That would be fine." I noticed that Park's "usual" somehow never smelled quite like the tea the rest of us were drinking out of our tea cups. When Park agreed to join me in the Senate, I inherited what was undoubtedly the largest Asian immigration caseload in the U.S. Congress. There must have been at least 550 Chinese immigrants certified to work in King Ying Low's Des Moines restaurant during my Senate term alone.

Park Rinard was the intellectual godfather of Iowa's progressive agenda for a half-century, and those years with Governor Hughes were really the "Golden Age." It was a time when: Community colleges were established; the Iowa Civil Rights Commission created; home rule for cities granted; state spending for schools, prisons, and welfare increased; the first black state judge appointed; and the death penalty abolished.

It is worthy of note that Iowa's State Government has not taken the life of even one person since Park involved himself in Iowa politics.

Decades later Park remained at the forefront of enlightened political thinking. He strongly advocated an Equal Rights Amendment to the Constitution for women. He surprised younger members of my Senate staff over 20 years ago by accurately predicting that the next significant civil rights challenge would be to overcome discrimination against gay Americans.

Bonnie Campbell once remarked that Park was so completely centered and certain in his liberalism that he knew instantly the proper position on an issue because of his "fundamental sense of fairness," while the rest of us had to at least think about it.

Growing up in Northern Iowa over four score years ago Park acquired values he would never abandon: common sense, cooperation, love of the land, sincerity, compassion, civility and justice.

These values formed the underpinning of his political philosophy: phrases like "the milk of human kindness," "the least of these" and describing something as being "clear as the noon whistle at Ida Grove." These phrases all slipped easily into his own speech patterns and the language he crafted for those in public life.

Many of us here today recall Park, smoking his pipe, while hunched over his ancient Olympia typewriter pecking out those many speeches. Park was a most gifted writer. However, unlike Federal Express he was reluctant to guarantee a precise arrival time for the finished speech draft. On more than one occasion, this led to serious staff anxiety and a near nervous breakdown for the person expected to deliver the prepared remarks at a particular event.

In 1968 at the Democratic National Convention in Chicago Harold Hughes was to place Eugene McCarthy's name in nomination. Park was in a Des Moines Hotel room where he was supposed to be writing Hughes' speech. Ed Campbell called Park and told him to put the speech on a plane. This was a time, of course, which predated the era of fax machines and e-mail. As zero hour approached, Hughes asked Ed "Where the hell is the speech?" Ed called Park. Park said "he was working on it and would send it by Western Union." Ed frantically got a room beneath the podium and with a technician arranged to have the speech pages put on a teleprompter as they arrived over the wire. Hughes was called to the Convention podium with no text and had to ad lib his opening before the first page arrived and was put on the teleprompter. Hughes literally gave the

speech in Chicago while Park wrote it in Des Moines. At what appeared to be the conclusion Hughes turned to Ed and, putting his hand over the mike, asked in a stage whisper, "Is that the end?" It was, and Gene McCarthy's name was thereby officially placed in nomination as the Democratic Party candidate for President of the United States.

I know Park was not pleased with the condition of American Politics in recent years where mechanics have overwhelmed the issues. Park thought the dialogue had grown sterile and he had little interest in pollsters and consultants. However, he had an abiding faith in democracy and believed that politicians who speak to the best in their constituencies will draw it out. He did his best to make sure that we office holders did just that.

Whatever Governor Herschel Loveless, Governor and Senator Harold Hughes, Attorney General Bonnie Campbell, Congressman Neal Smith and I were able to collectively contribute in our public service careers was, in no small park, made possible because of Park Rinard. Park was truly an "Iowa Original." He uniquely sensed the soul of the state he selflessly served and loved for a life time. His legacy will endure for generations and Iowans will enjoy more opportunities and have a better life because of Park Rinard. What greater reward does life afford?

SENATOR RICHARD BRYAN

Mr. HARKIN. Mr. President, Senator DICK BRYAN is one of few people who has served in this Chamber who has literally devoted nearly his entire life to serving the people of his state and nation.

Senator BRYAN's distinguished career started the day he took the oath of office as president of his 8th grade class at John S. Park Elementary School. It continued when he took office as president of his sophomore and senior classes at Las Vegas High School and student body president at the University of Nevada-Reno.

After graduating from law school, he served as deputy district attorney in Clark County and was then appointed as Clark County's first public defender at age 28. He did two terms in the Nevada State Assembly. Two terms in the Nevada State Senate. A term as Attorney General. Two terms as Nevada Governor. And he's now done two terms in the United States Senate.

He is the only Nevadan ever to have served as his state's Attorney General, Governor, and United States Senator.

He's also one of few, if any, Senators who've managed to pull an extraordinary triple play and serve on the three major fiscal committees—Finance, Commerce, and Banking.

And he's used these positions to fight harder than just about anyone else here to protect American consumers.

As former member of the Consumer Affairs Subcommittee, he passed an amendment requiring the installation of passenger side air bags in all cars sold in America. Over the years, this piece of legislation has saved hundreds of lives.

Senator BRYAN was also one of the early leaders on privacy issues in this

Congress. He led the charge to enact the Children's Online Privacy Protection Act—the first ever federal Internet privacy protection legislation. He has also been leading the fight to add new privacy regulations into the banking industry.

In addition, Senator BRYAN authored laws to reduce telemarketing fraud and to give consumers new rights in combating errors on personal credit reports. He passed the PMI legislation which protects people from having to pay hundreds, sometimes thousands of dollars to private mortgage insurance lenders once they have enough equity in their homes. And he was one of the lead sponsors of Airline Passenger Bill of Rights.

Along with Senator MCCAIN, he passed important boxing reform bills to protect the health and safety of boxers and to maintain the integrity of the sport.

And finally, he has worked tirelessly to protect his constituents from nuclear waste dumping in Nevada.

The one consolation I take when I think about him retiring from the Senate is that he'll finally get to spend more time with his terrific wife, Bonnie. I'm hopeful that the two of them will set aside some time to come out and visit me in Iowa, especially since Senator BRYAN actually has roots in my home state. His father, Oscar Bryan, was born in Des Moines. And Senator BRYAN's uncle by marriage, Keith More, practiced law in Harlan, Iowa for years. Keith's brother, Jack More, was chair of the Democratic State Party in Iowa and headed up Truman's efforts in 1948.

But, no matter what his current plans are, I have a sneaking suspicion that Senator BRYAN isn't going to stop serving his State and his country for a long time to come. He has done it honorably since he was a boy, and he still has a tremendous amount to offer.

SENATOR DANIEL PATRICK MOYNIHAN

Mr. HARKIN. Mr. President, Senator DANIEL PATRICK MOYNIHAN is the kind of scholar-public servant our founding fathers envisioned when they designed our great government. Senator MOYNIHAN has a keen intellect and a kind heart, and his distinguished career is a testament to the power of this combination.

Senator MOYNIHAN began serving this country just one year after he graduated from high school. He enrolled in the United States Navy from 1944–1947 and served in the Naval Reserve for 20 years.

After receiving his BA, MA and PhD, he went on to serve in the administrations of Presidents Kennedy, Johnson, Nixon, and Ford. In fact, he is the only person in American history to have ever served in the Cabinet or subcabinet of four successive presidential administrations.

He served as U.S. Ambassador to India from 1973–1975, U.S. Representa-

tive to the United Nations from 1975–1976, and he represented the United States as President of the United National Security Council in 1976.

He has authored or edited 18 books on topics ranging from the Reagan era to the American family to poverty to ethnicity to the practice of government. And he has received 62 honorary degrees.

Senator MOYNIHAN's list of legislative accomplishments is no less impressive. He produced the Intermodal Surface Transportation Efficiency Act of 1991 and the Transportation Equity Act for the 21st Century which provided money and incentives for States to build mass transit systems.

He has done outstanding work on cleaning up our environment through his legislation to clean up nuclear waste and toxic sites and to control acid rain.

He has also been a leader in transforming our social welfare system. His 1988 Family Support Act began the process of changing the AFDC program from an income security program to one which helps individuals secure employment. He has also sponsored a bill to improve the Social Security Administration and to keep Social Security solvent for the future.

And if you take a walk around this city—or any number of other American cities for that matter—you won't get far before you see a building that Senator MOYNIHAN helped to build or preserve. From the Old Patent Office which now hosts two Smithsonian museums, to the Old Post Office, to the Old Pension Building, which is now the National Building Museum, and many more.

The Senate will sorely miss its resident scholar. Senator MOYNIHAN combined a mind for philosophy, an eye for beauty, and a heart for service. And this city, the State of New York, and our Nation are the better for his sensitive and dedicated work.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Michigan, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2415

The PRESIDING OFFICER. In my capacity as a Senator from the State of Michigan, I ask unanimous consent that at 11 a.m. on Wednesday, the Senate resume postcloture debate regarding the bankruptcy bill and there be 6 hours for debate postcloture to be equally divided between the chairman and the ranking minority member, or their designees.

I further ask unanimous consent that at 2 p.m. on Thursday, the Senate proceed immediately to up to 30 minutes of debate for each of the following Senators: HATCH, GRASSLEY, WELLSTONE, and LEAHY, and following that time, at 4 p.m. on Thursday, the Senate proceed to a vote on adoption of the conference report, notwithstanding rule XXII, any intervening motion, action or debate, and that paragraph 4 of rule XII be waived.

Without objection, it is so ordered.

In my capacity as a Senator from the State of Michigan, I suggest the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now be in a period of morning business with Senators speaking for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ALLARD pertaining to the introduction of S. 3274 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

DRUG FREE COMMUNITIES ACT SUCSESSES IN COLORADO

Mr. CAMPBELL. Mr. President, I would like to take a minute to call my colleagues' attention to a conference which is convening this week here in Washington, DC. The Community Anti-Drug Coalitions of America is sponsoring its National Leadership Forum XI from December 6–8, 2000. The National Leadership Forum is the largest meeting of grassroots and professional community coalition leaders in the country. CADCA expects approximately 1500 participants to participate in the Forum this year to network and learn about the most innovative programs, products and services working to reduce youth substance abuse in communities across the country.

As the chairman of the Treasury and General Government Subcommittee, I have a keen interest in these programs which receive support through the Drug Free Communities Act under the Treasury subcommittee's jurisdiction. The Drug Free Communities Act has seen some great successes. This program is funded at \$40 million for fiscal year 2001, which is \$5 million more than the administration requested. This program provides small grants to non-profit organizations that are trying to curb the impact of drugs in our communities.

One good example is in my own state of Colorado. The Drug Free Community

grant recipient is called Grand Futures. This non-profit organization has implemented a program that attempts to directly influence the social behaviors that tend to lead to drug use. The basic premise is, if you can influence those activities that lead to or are related to drug use, you can impact the incidence of drug use itself.

Grand Futures, which receives funding under the Drug Free Communities Act, conducts tobacco and alcohol stings. In addition, Grand Futures also works with local businesses regarding employee alcohol consumption during working hours and conducts outreach efforts regarding patrons' drinking and driving behavior.

As a result of their work, Grand, Moffat and Routt counties in Colorado, the area which Grand Futures administers, has shown a significant drop in adult and juvenile violations of the state's liquor laws. For that same time and location, this area also experienced a corresponding decrease in adult and juvenile drug violations.

I think you can see that if we focus on the contributing factors of drug use, we can have an impact. Also, it demonstrates that when you allow the state and local organizations to tackle an issue and provide them the resources to do so, each in its own way, they can be more successful in their grassroots efforts than a large Federal program would be. People like those working at Grand Futures live in the community, and they understand the local environment and the potential constraints that an outsider may not. This can be something as simple as knowing what the local past time is for teens.

The Drug Free Communities Act demonstrates that groups like Grand Futures are well suited to tackle the drug problem with locally-based solutions tailored to address the community's unique situation. I would encourage my colleagues to look into their Drug Free Communities Act recipients in their own state. I think that they will find dedicated, hard-working organizations that are achieving success and deserve their support.

HONORING WILLIAM V. ROTH, JR.

Mr. BIDEN. Mr. President, I rise today to honor our respected colleague, my friend, and a true gentleman of the United States Senate—BILL ROTH.

I have had the honor to serve side-by-side with the senior senator from Delaware for nearly 28 years. Never once have any of you nor anyone in our home State of Delaware—ever heard me say an ill, unkind or negative word about him. And I might add—nor he of me. In my case, there is a good reason for this. He has never given me cause to say anything negative.

I, personally, and my state collectively—genuinely respect and like BILL ROTH. He is a true gentleman—with all the politeness, honesty and integrity that word connotes.

Personally, I will greatly miss his companionship and friendship. We have racked up more miles on Amtrak between Wilmington and Washington than probably anyone in history! On our train rides, we would often talk about how we could best work together on a project for Delaware. And we would discuss pressing legislative business. But we'd also talk about family and children and grandchildren.

BILL ROTH has served Delawareans with great distinction for 34 years. Since 1970, he has served in the Senate, and before that, four years in the U.S. House of Representatives. BILL ROTH is a living legend in Delaware. In a sentence—he is the longest-serving elected official in the history of Delaware.

And he has made his name known across this country, and throughout the world.

Think about the men and women who have served in the United States Senate—the true giants. Only a handful have programs or laws named after them and for which they will forever be known. BILL ROTH is one of those giants. He has not one, but two historic laws that bear his name—the Roth-Kemp tax cut of the 1980s, and of course, the Roth I.R.A.

On foreign affairs, Senator ROTH is an internationalist. He has met with and is respected by more world leaders than most U.S. Presidents. There is no doubt in my mind that without BILL ROTH, we would not have NATO enlargement or Normal Permanent Trade Relations with China. He is the former President of the North Atlantic Assembly—which is a parliamentary arm of NATO—and served as co-chair with me of the Senate NATO Observer Group. As a staunch believer in strong security alliances in not only Europe, but also Asia, he helped lead the effort for NATO enlargement and currently serves on the boards for the Center for Strategic and International Studies and the Board of the Pan-Pacific Association. He also is active in the Asia Pacific Parliamentary Forum.

Beside the international and financial arenas, Senator ROTH has made his mark on environmental issues as well. He is a recipient of the Wilderness Society's prestigious "Ansel Adams" Award for his work to protect pristine lands, such as the coastal plain of Alaska—fighting many in his own party who want to open up that national treasure to oil exploration.

The breadth of BILL ROTH's contributions to this nation seem to be without limits. He understands how government works and when it doesn't serve the public the way it should, he's stepped forward to fix things. Whether it's general government restructuring, overhauling the IRS to end taxpayer abuses, or reforming the welfare system, he has left his mark. And when Amtrak needed critical support to advance to high speed rail, he championed the act to commit more than \$2 billion for capital improvements.

With all his distinguished awards and landmark legislation, BILL ROTH also is

part of the so-called "Greatest Generation," serving our country in World War II. He rose to the rank of captain and earned the Bronze Star for his service in the Pacific.

Like his war service, there is much Senator ROTH does in Delaware for which he never seeks headlines nor credit. Every year, for the past 30 years, he has hosted and organized a Youth Conference for high school students throughout the State. This is an enormous undertaking to coordinate—involving high school principals, teachers, students and well-known keynote speakers. He has done it all solely for the kids. I am certain many of those students over the years are now serving as leaders in our businesses, non-profit organizations, and some even hold public office now themselves.

I realize it's rare, and somewhat awkward, for one member of this body to stand up and so publicly honor his fellow, distinguished Senator. But BILL ROTH deserves that and much more. Senator ROTH has been a friend, partner and confidant to me over the years.

Delawareans also will miss the pleasant, extremely competent and caring service of Senator ROTH's staff. From veterans to members of the business community—from seniors to school students—from the fire service to the armed forces—from the City of Wilmington to the beach communities—Senator ROTH and his staff were highly regarded for their friendly, responsive and highly-professional constituent services.

And I know that beyond all his legislative accomplishments, Senator ROTH is most proud of his wife of 35 years—The Honorable Jane Richards Roth—his son Bud who is an attorney in Delaware—his daughter, Katy who is a physician—and his two grandsons, Bobby and Charlie.

This body is losing more than a powerful Committee chairman, who used that power wisely, judiciously and compassionately. The United States Senate is losing a genuine gentleman. He has served the citizens of Delaware with honor and integrity for nearly 34 years. Our State, our country and the United States Senate are so much better for his service.

The British statesman and philosopher, Edmund Burke, said in a speech at Bristol:

The worthy gentleman who has been snatched from us at the moment of the election, and in the middle of the contest, whilst his desires were as warm and his hopes as eager as ours, has feelingly told us what shadows we are, and what shadows we pursue.

Senator ROTH's shadow will stay with this body for years to come as we pursue the principles he stood for.

FATIGUE MANAGEMENT IS KEY TO IMPROVED HIGHWAY TRUCK SAFETY

Mr. GRAMS. Mr. President, highway safety, especially concerning long-haul

trucks tends to be a contentious issue. It is generally understood that the long-haul truck driver faces a tedious and fatiguing task. Anyone trying to get to Florida from Minnesota in one day knows that. Government regulations on commercial truck drivers set parameters on hours of operation in the hope necessary rest can be achieved, thus preventing tired drivers from undertaking their critical duty. How can a government mandate for rest produce results?

Anyone in the business knows that the Administration's proposed regulations governing truck drivers have gone from bad to worse. We recently passed legislation delaying the implementation of a new proposed regulation. However, there is a solution. But first, some background.

Prescriptive Hours of Service regulations, HOS, have been unchanged for more than sixty years. After ten hours driving, a driver may not drive for eight hours. A driver may not drive more than seventy hours in eight days. Supposedly the non-driving time is intended to provide opportunity for sleep and other necessary activities. However, long-haul drivers may end a ten-hour driving period at a time of day when their physiological alerting system, or body clock, will not permit sleep. At the end of the non-driving period they may be tired but may legally drive. In many instances, they must drive fatigued in order to make timely delivery. There is consensus in the scientific community that any system of prescriptive hours of service regulation will result in drivers occasionally being prohibited from driving when they are alert and compelled to drive when they are tired.

It has come to my attention that a logical and creative alternative is at hand. One that offers the promise of not only improved highway truck safety, but improvement in the life-styles of the participants—the truck drivers—and in the efficiencies of the companies who employ them. The alternative is in managing fatigue.

The problem of operator inattention related to sleep deprivation has been the subject of medical, scientific and regulatory inquiry for many years. It is the consensus of the medical and scientific communities that the time has come to apply the knowledge gained by applying it in real operational conditions.

That possibility is upon us. Thanks in part to the efforts of one of my constituents, Mr. Donald G. Oren, President of Dart Transit Company of Eagan, Minnesota, a feasibility test has been successfully concluded. This is an exciting development.

Recently, the Safety Research Center, Bethesda, Maryland, under the direction of its President, Tony McMahon, together with Stanford University's Sleep Disorders Clinic and Research Center undertook a scientific experiment. William C. Dement, M.D., Ph.D., Professor of Psychiatry and Be-

havioral Sciences at the Stanford University School of Medicine, and the director of the Stanford Sleep Disorders Clinic and Research Center, a long-time student of and author on sleep disorders, developed a two-phase approach to developing a solution to driver fatigue. The first is to test and treat individuals for sleep disorders and the second is to teach them how to manage fatigue.

Doctors and scientists researching sleep have found that drowsiness results from sleep debt, which is cumulative. There are only two ways to build up a sleep debt: inadequate amounts of sleep and excessively frequent interruption of sleep as occurs in the obstructive sleep apnea syndrome and the restless legs syndrome. According to the December 1996 Driver Fatigue and Alertness Study commissioned by the Federal Highway Administration, the two most important factors in driver fatigue are time of day and the amount and quality of sleep received.

At the Stanford Sleep Center, drivers from two trucking companies were screened, treated for sleep disorders and trained in how to recognize sleep debt and fatigue and what to do about it. On October 18, 2000, Dr. Dement announced the results of that feasibility study involving nine drivers from Dart Transit, of Eagan, Minnesota, and Star Transport, of Morton, Illinois. The drivers spent two separate sessions of three days each at the sleep research facility at Stanford. Dr. Dement's findings are that effective training will cause behavior change and fatigue avoidance.

The next step is to develop a pilot program, which the Federal Motor Carrier Safety Administration, FMCSA, will be asked to undertake. FMCSA possesses the authority to conduct such a pilot program. It will be conducted under strictly controlled exemptions to hours of service regulations.

I am told that Clyde Hart, Acting Administrator of FMCSA, believes the idea has merit and is willing to entertain a pilot program proposal. The program will be undertaken by the Safety Research Center, Bethesda, Maryland, and the Stanford Sleep Research Center. It will begin with approximately 40 drivers each from Dart and Star. Screened, treated and trained, they would be exempted from the hours of service regulations (but not total hours that can be driven) to provide maximum flexibility to the trained drivers in managing their time. These drivers would be compared to a control group operating under current hours of service regulations. Assuming that the operations generate positive data, the program would be expanded to other companies. Progress would be evaluated on an ongoing basis and at the end of the three-year program it should be apparent that fatigue management should be a regulatory alternative to current hours of service regulation.

This is a most welcome and exciting development. To bear out this conclusion, I ask unanimous consent that two items be included in the RECORD: Dr. Dement's remarks to the media and a recent article from Traffic World.

There being no objection the material was ordered to be printed in the RECORD.

REMARKS BY WILLIAM C. DEMENT, M.D., PH.D., DIRECTOR OF THE STANFORD UNIVERSITY SLEEP DISORDERS & RESEARCH CENTER
JOIN THE SAFE TEAM: THE POINT OF THE LANCE
FOR A SAFER AND MORE ALERT AMERICA

At a press conference on Capitol Hill in January 1993, I had the privilege of reporting the results of the two-year study of Sleep in America by the National Commission on Sleep Disorders Research. The Commission had determined that there were two gigantic problems in our society, pervasive and severe sleep deprivation in every component of society, and a pandemic of undiagnosed and untreated or misdiagnosed and mistreated sleep disorders. The Commission also emphasized vigorously that the root cause of these problems was a total lack of effective public and professional awareness about sleep. Indeed, one of the most urgent recommendations of the Commission to the U.S. Congress was to launch an effective and broad based national awareness campaign. Sadly, this did not happen for several reasons including the budget deficit.

During the period of the Commission study and in many of the years since, I have learned that attempting to alleviate the societal problems relating to sleep has a special difficulty. The absence of prior exposure to sleep education allows inappropriate skepticism about the facts of sleep, retention of erroneous mythologies about sleep, and extreme difficulty in mobilizing an adequately large community of advocates.

In the aftermath of the failure to launch an effective National Awareness Campaign, we have persisted in attempting to develop an alternative strategy. The main thrust has been to identify a much smaller community, which, if adequately educated and trained, might be a catalyst for a larger societal change. Efforts have been made by me and others to educate primary care physicians, high school students, airline personnel, railroad personnel, and a variety of other specific groups such as Olympic athletes, shift workers, and so on. None of the efforts to date have been adequately successful, particularly as a catalyst.

All of this is by way of introducing what I will report in today's conference. I believe we have the absolutely best group from every point of view. This is not entirely new because this group has been the focus of much attention in recent years, a fair amount of it entirely unwonted. The group in question is long haul truck drivers. We are here to announce the success of a feasibility trial and the intention to submit a fatigue management pilot program to the administrator of the Federal Motor Carrier Safety Administration. In summarizing the continuing lack of effective education and awareness in America about sleep in 1993, I said that 100 or so sleep disorders centers are islands of awareness in a vast sea of ignorance; too small in number and too dispersed to constitute a catalytic educational force. That situation is only slightly changed today. There are more islands, but the vast sea of ignorance remains.

As exemplified on the October 16, 2000, cover of US News and World Report in an article titled, "Sleepless in America," our nation is carrying the largest sleep debt in history. Nearly every citizen has a bigger or

smaller sleep debt. The question is why don't they know it. The reasons are as follows.

Most people don't know their personal sleep requirement.

Most people know nothing about sleep debt.

Most people don't understand the function of their circadian system (biological clock).

Most people don't know the significance of being tired all the time.

Most people know nothing about sleep disorders.

An extremely important principle is that there are two ways and only two ways to build up a sleep debt; inadequate amounts of sleep and excessively frequent interruption of sleep as occurs in the obstructive sleep apnea syndrome and the restless legs syndrome.

Sleep scientists have known these facts for more than two decades and have tried and tried to bring them effectively to the attention of key communities. One would think that learning these things would be a core part of many professional training programs, and if nowhere else, certainly in the transportation industry. Airline personnel need to know the principles of fatigue management, railroad personnel, maritime personnel, and the vast community of automobile drivers, but we have learned in our feasibility trial and I am now convinced, that the highest priority for intensive professional training regarding fatigue management should be long haul truck drivers. Of course, all drivers must have the ability to maintain attentive alertness while driving. However, the highest educational priority should be bestowed upon the community of long haul truck drivers who sit astride 40 tons of highly evolved and intricate machinery. In other modes of transportation, attentiveness every second is not required.

Thus, we propose a special program that involves (a) training to behavioral change and commitment and (b) screening for sleep disorders and ease of access for definitive diagnosis and effective treatment. Long haul drivers who are successful in completing this program will be transformed by sleep debt reduction and improved personal health, and they will become disciples seeking to recruit their fellow truckers.

Today, instead of what we are proposing, we have prescriptive hours of service which guarantee that there will be times when a driver must stop driving although he or she is fully alert. This may not be dangerous, but it is certainly frustrating. Unfortunately, the Hours of Service regulations also guarantee that there will be times when dangerously fatigued truck drivers can keep driving, sometimes for many hours. A typical scenario is that a driver must stop at a time when clock dependent alerting will not allow sleep. At the end of this period with very little rest, the driver is very tired but can now go for another 10 hours. If he chose instead to sleep, the rest period would be extended to 16 hours and his productivity would be greatly reduced.

Personally, I have wanted to carry out this type of intensive training with targeted personnel for more than 10 years. In 1990 and 91, we completed a study of 200 drivers and found that 75% of them had obstructive sleep apnea and that in interviews of more than 600, 82% said the signal to stop driving was "falling asleep." Now, two visionary companies, Dart and Star, have stepped forward and have supported such a program with their own resources. We have completed a feasibility study with nine drivers and in my more than 30 years as an educator, this was one of the best teaching experiences we have ever had. Initially, I was uncertain that we could accomplish the desired result in this community. I insisted on an adequate oppor-

tunity, which consisted of an initial three full days of education and training together with sleep disorders screening, diagnosis, and most importantly, treatment. Then three full days of additional education, review, and evaluation one month later. In brief, at the second session we learned that the prior training and screening had been successful beyond our wildest dreams. The fatigue of this group was greatly reduced; the success of CPAP treatment had a double impact because spouses experienced great relief. Finally, I believe that our initial group of drivers is now completely safe, feel much better, and have substantially improved cardiovascular health. They are the vanguard of a new breed of long haul trucker, and on their own initiative, they have named themselves "The SAFE TEAM" which stands for Sleep and Fatigue Experienced Truckers Educating America's Motorcarriers. I also believe that long-haul truckers will be the vanguard of educating our entire society.

We are ready and eager to go forward with a formal pilot project and will seek approval of the Office of Federal Motor Carrier Safety Administration. We will put in place technology to monitor SAFE TEAM drivers and to insure that waiver of hours of service and the essential flexibility is not abused. I see no likelihood of the latter because of the commitment of these drivers to safety, but political issues make it necessary.

The intense interaction of the Stanford group which includes SleepQuest and the School of Sleep Medicine as partners in the Stanford University Center of Excellence, the Safety Research Institute, and above all, the pioneering group of drivers revealed and clarified what will surely become the theme of the pilot project and beyond. Fatigue management education is the missing piece in the training of professional drivers. This is why the sleep training was embraced by the drivers and their companies and why we can predict that it will eventually be enthusiastically embraced throughout the entire long haul trucking industry.

[From Traffic World, Oct. 30, 2000]

ENLIGHTENED SELF-INTEREST

(By Frank N. Wilmer)

PILOT PROGRAM WOULD TEACH FATIGUE MANAGEMENT, PERMIT DRIVERS TO SET THEIR OWN WORK-REST CYCLES

When the shipment absolutely positively has to be there on time, perhaps the truck driver should take a nap. That's the opinion of Stanford University sleep scientist William Dement and safety consultant and former Federal Highway Administration chief counsel Anthony McMahon. They say drivers properly trained in fatigue management are more productive, more alert and safer. They also make more informed decisions on when to drive and when to rest than bureaucrats who prescribe a one-size-fits-all model.

Dement and McMahon intend to ask the Federal Motor Carrier Safety Administration to authorize a three-year pilot program under which prescriptive hours-of-service regulations would be scrapped temporarily in favor of enlightened self-interest by up to 80 drivers who successfully complete Dement's fatigue-management course. Where federal regulations now mandate a relatively inflexible driving schedule, the Dement-McMahon proposal would permit drivers to determine, within limits, when they are alert and able to drive safely.

The drivers' dispatchers as well as members of the drivers' families also would receive fatigue management training and drive time behind the wheel would be monitored electronically. McMahon said the pilot program, whose details would be fleshed out in

collaboration with the FMCSA, likely would limit drivers to the same maximum 70 hours of driving time within eight consecutive days as now exist. But drivers would have greater flexibility to devise how they accumulate those 70 hours of driving time.

The proposed pilot program would involve Dart Transit of Eagan, Minn., which utilizes owner-operators, and Star Transport of Moton, Ill., which employs its own drivers. Dart CEO Glenn Werry and Star CEO Donald Oren have pledged to pay the costs of the pilot program, said McMahon.

"The experience at Stanford proves to me we can create a cadre of drivers who understand how sleep really works and will use new knowledge to drive more safely, reduce the dangers to themselves and others and improve their quality of life on and off the road," said Dement, a medical doctor who also holds a Ph.D. in neurophysiology.

The Dement-McMahon proposal is the first entrepreneurial approach to what has become a furious battle between the FMCSA and the trucking industry on how to revise arguably outdated safety regulations that prescribe the maximum number of hours commercial drivers may be behind the wheel.

An April FMCSA reform proposal would limit daily driving time to 12 hours, mandate 10 continuous hours of daily rest, prescribe up to four workday breaks totaling two hours and prohibit drivers from being behind the wheel for up to 56 consecutive hours each seven-day period even if it stranded them at truck stops.

The American Trucking Associations, which estimates the FMCSA's proposed hours-of-service revision could increase universities cloning the training program, said Dement.

Dart's Oren, who already sent some drivers through Dement's fatigue management course, said they previously "didn't worry" about how they spent their time before getting behind the wheel, but now ensure they do not have alertness-depriving "sleep debt" before driving. "It has become a way of life for them," said Oren.

FMCSA Acting Deputy Administrator Clyde Hart and ATA President Walter McCormick each told Traffic World they hadn't seen the proposal and thus could not comment.

VICTIMS OF GUN VIOLENCE

Mr. DURBIN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today, December 5, 1999:

Trennell Alston, 26, Baltimore, MD; Georges Ronnell Barnes, 29, Baltimore, MD; Mary Collien, 51, Baltimore, MD; Gilbert Gallegos, 76, Salt Lake City, UT; Donta Henson, 18, Chicago, IL; Nathan Hornes, 36, Oakland, CA; Makisha Jenkins, 18, Baltimore, MD; Christopher Jones, 17, Washington, DC; Greg Karavites, 38, Denver, CO; Jill

Lundstrom, 25, Miami-Dade County, FL; Johnny Manning, 29, Minneapolis, MN; Mary Matthews, 39, Baltimore, MD; Bertess Montgomery, 87, Memphis, TN; Ramiro Peredez, 34, Atlanta, GA; Lionel Robinson, 23, Baltimore, MD; Patrick Michael Smith, 21, Washington, DC; Levanna Spearman, 23, Baltimore, MD; Alan Villarreal, 23, Houston, TX; Unidentified Male, Newark, NJ; and Unidentified Male, Newark, NJ.

Five of the people I mentioned were the victims of what has been described as one of the worst mass killings in Baltimore history. Mary McNeil Matthews; her mother, Mary Helen Collien; her daughter, Makisha Jenkins; and two family friends, Trennell Alston and Lavanna Spearman; were killed one year ago today by four men who burst into Mary McNeil Matthews' home and shot all five women.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

ENSURING TRAFFIC SAFETY—H.R. 5164

Mr. MCCAIN. Mr. President, in the weeks since Congress passed H.R. 5164, the Transportation Recall Enhancement, Accountability, and Documentation Act, and it was signed into law by the President, questions have been raised by some of my colleagues about the impact of the bill on small business. I want to make clear my intentions toward small manufacturers in passing this legislation.

Obviously, the bill is not intended to result in burdensome and ineffective regulations on small businesses or any size business for that matter. I would expect the Department of Transportation in establishing the regulations under the bill to go through the normal analysis required under existing law to ensure that regulations are not overly burdensome but are effective in advancing the cause of safety.

Let me be clear, however, the primary purpose of this bill and the Department of Transportation is to ensure the safety of the traveling public. No priority can or should be higher as the agency crafts these new regulations. I hope this responds to any concerns my colleagues may have about the provisions of the bill.

Mr. BOND. I thank the Senator and agree without reservation that the purpose of this legislation is to increase safety on the highways. No one in the small business community supports allowing defective auto parts or automobiles to be allowed on the road. After all, small businesses, their employees, and their owners are some of the drivers of the vehicles that would be identified under this law, and they are the other drivers on the road with these vehicles. They care as much as anyone else about highway safety. Without question, the safety of our

roadways is one of our highest priorities.

I would just like to add one clarification. When the Department of Transportation promulgates the regulations required by this act, it is required under the Small Business Regulatory Enforcement Fairness Act (SBREFA) to determine whether the regulations will have "a significant economic impact on a substantial number of small entities." If the regulations rise to that level, the Department is required to conduct an initial regulatory flexibility analysis and a final regulatory flexibility analysis as described in SBREFA so that the impacts on small businesses can be identified and better understood. None of the requirements under SBREFA are intended to, or have been shown to, interfere in any way with an agency's regulatory objectives. In this case they would not impede, in any way, the Department of Transportation's ability to provide the maximum safety improvement on the highways as mandated under the TREAD Act.

This is the current law and is consistent with the provision in the TREAD Act which prohibits the Department of Transportation from issuing unnecessarily burdensome regulations. I just want to make it clear that we will be watching closely to make sure that the Department of Transportation adheres to the mandates of SBREFA.

DEPARTMENT OF ENERGY'S OFFICE OF SCIENCE

Mr. BINGAMAN. Mr. President, I rise today to address the importance of the Department of Energy's Office of Science, the nation's leading source for fundamental research in the physical sciences for the areas of physics, chemistry, and materials science, and a significant contributor to the biological sciences. Besides funding the individual researcher, the Office of Science leads our nation in providing specialized large user R&D facilities. A partial list of such facilities would include the Stanford Linear Accelerator, the Center for the Microanalysis of Materials at the University of Illinois, The Los Alamos Neutron Science Center, the High Flux Isotope Reactor at Oak Ridge, the high energy accelerators at the Fermilab and the National Synchrotron Light Source at the Brookhaven National Laboratory. These user facilities are national treasures. One cannot over emphasize their importance. They are used by not only university researchers from all 50 states but by industry in both the biological and physical sciences. In 1999, there were 5500 users on just the large light sources alone to investigate new structures of matter in both the biological and physical sciences. In the last four years, the number of biological researchers using these facilities has risen by a factor of four and now accounts for 40 percent of all users.

Each of these 5500 investigations on just the light sources alone generates new intellectual property—a dominant export in the 21st century global economy. In short, these facilities provide the critical basic R&D that industry cannot and will not fund directly, R&D that is crucial to maintaining the tremendous technological engine of growth that fuels our economy today.

I would like to point out that in the 106th Congress there was a large and successful bipartisan campaign in both the House and Senate to support the Office of Science's budget request for Fiscal Year 2001. However, the Office of Science's 2001 budget request only met the level of its 1990 budget as adjusted in year 2000 dollars. In comparison the overall federal R&D budget for the life sciences has increased by 45 percent in the same period. The trends in the neglect of funding for the Office of Science are deeply disturbing and are now beginning to influence the basic indicators of intellectual property generation. If one tracks the submissions by U.S. researchers in some of our most prestigious physics journals you'll find that in 1990 the United States commanded the lead of submissions at about 50 percent worldwide. In 1999 the submission rate has dropped to about 25 percent worldwide. The momentum at a national level in the physical sciences is one of decline. We should be disturbed by this trend—the physical sciences are the foundation of the microchip industry, the telecommunications industry, the transportation industry and the petrochemical industry. We are talking about what fuels our engine of U.S. economic growth—high technology and maintaining a commanding lead in a 21st century global economy.

As the 107th Congress gets ready to start, we must pay more attention to the Office of Science and the role that it plays as a generator of a high tech workforce, intellectual property and economic growth. The Office can play an important role in large multi-user facilities for the development of nanomaterials by developing techniques that can literally position groups of atoms to develop a whole new generation of microchip and structural materials. Leadership in such materials research will help maintain our world dominance in the telecommunications and transportation industries. Yesterday a bipartisan group of this body sent to the President a letter supporting a significant increase in the budget of the Office of Science in fiscal year 2002. This letter follows up on the support that these members expressed earlier this year during the appropriation process and presages a commitment of bipartisan support for the Office of Science in the 107th Congress. Mr. President, I ask unanimous consent that this letter be printed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. BINGAMAN. Regardless of the final outcome of the Presidential election, it is my hope that both sides of the aisle will be able to come together next year on a strategy for the continued technological and economic competitiveness of the United States. I hope that support for the work funded by the Office of Science will be the cornerstone of that strategy.

EXHIBIT 1

UNITED STATES SENATE,
Washington, DC.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Thank you for joining us in providing strong support for the Department of Energy's Office of Science in this year's appropriation process. Together we have made great progress in advancing recognition of these critical scientific programs. Yet there remains much more that can be accomplished. Continued growth for these programs on par with that proposed for the National Institutes of Health (NIH) and National Science Foundation (NSF) is vital to continued advances in the fields DOE supports and to the training of future scientists and engineers to continue the tremendous advances that America brings to basic science and to the marketplace.

You are aware that the Department of Energy (DOE) is the leading source of federal support for the physical sciences in the nation. In the life sciences, the DOE initiated the Human Genome Program and co-manages this enormously important and promising effort with the National Institutes of Health. It also plays a leading role in supporting other biological sciences, environmental sciences, physics, chemistry, materials science, computer science, mathematics, and engineering. As a consequence, the DOE is responsible for a significant portion of federal R&D funding for scientists and students at our colleges and universities.

One of the primary responsibilities of DOE's Office of Science is to support large-scale specialized user facilities and large teams of scientists focused on national scientific priorities. This makes the Office of Science unique among, and complementary to, the scientific programs of other federal science agencies, including NIH and NSF. Each year over 15,000 sponsored scientists and students from academe, industry, and government—many funded by agencies other than the DOE—conduct cutting edge experiments at the Department's research facilities. DOE's investments in major facilities, smaller-scale user facilities, and in university-based laboratories not only sets it apart from other federal science agencies, but helps ensure that the nation maintains its world leadership across a broad range of scientific disciplines.

Economic experts maintain that today's unprecedented economic growth would not have been realized but for the substantial research investments by the public and private sectors over the past several decades. To maintain the tremendous advances that America brings to basic scientific research and into the marketplace, we need to continue to provide strong support for basic research across the scientific disciplines. Sound science policy also demands a balance between support of individual investigator driven science—such as that conducted by the NIH and NSF—and the maintenance and operation of major facilities, smaller specialized facilities, university based research facilities, and scientific teams such as those supported by DOE's Office of Science.

The appropriation of \$3.19 billion for FY 2001 is only a start at addressing these chal-

lenges. Annual increases similar to NIH and NSF are needed and merited by the important and unique work being conducted by the DOE Office of Science. They would also build on the spirit of the Senate's passage of the Federal Research Investment Act (S. 296) which calls for doubling investment in civilian research and development efforts.

Support for increases in funding for the DOE Office of Science is critical if we are to attract and retain the best minds, support the construction and operation of modern scientific facilities, and continue to capitalize on the scientific vision that has been the trademark of the Office of Science for so many years. The budget request for FY 2002 is the logical place to continue this effort. We trust you agree and look forward to strengthening our scientific and technological capabilities in FY 2002 and beyond.

Sincerely,

Jeff Bingaman, Blanche L. Lincoln, Ron Wyden, Carl Levin, John F. Kerry, Frank H. Murkowski, Mike DeWine, Patrick Leahy, Ted Kennedy, Slade Gorton, Evan Bayh, Daniel K. Akaka, Paul Sarbanes, Herb Kohl, Patty Murray, John Edwards, Frank R. Lautenberg, John Breaux, Diane Feinstein, Barbara Boxer, Bill Frist, Fred Thompson.

INDIVIDUAL FISHING QUOTAS

Mrs. MURRAY. Mr. President, one of the most important issues we consider here in the U.S. Senate is how to balance our economic needs with our responsibility to conserve our natural resources.

I believe we can strike the right balance. With that hope, I'd like to talk about America's fisheries. In the Pacific Northwest, fishing is more than just a way of life. It is an important part of our economy and contributes to our region's culture.

Unfortunately, that way of life is becoming more difficult. Many fishing families are struggling because some fish stocks are at very low levels. For example, the West Coast salmon and groundfish and the Bering Sea/Aleutian Islands crab fisheries have declined dramatically in recent years. Washington's fishing families contribute to our economy and feed consumers both here and abroad, but too often they work within a system that threatens their safety and their livelihood. I've met with harvesters and processors from my region, and I've visited small towns in Washington state that depend on fisheries. The problems they face aren't limited to Washington state. They can also be seen in Alaska and other states.

In an effort to recover decreasing numbers of fish in our waters, fisheries managers have developed complex management systems to limit fishing. In some cases, our current policies encourage fishers to catch as many fish as possible over a limited period of time. This creates a dangerous and inefficient "race for fish", which requires fishermen to venture out in bad weather. In fact, one of the most dangerous occupations for young people today is to work in the Bering Sea/Aleutian Island crab fishery. The "race for fish" is one way to manage fisheries in which

too many fishermen are competing for too few fish. However, there are alternatives to this management approach.

I'm proud that there is a growing interest in an innovative management tool called individual fishing quotas. This creative approach uses the marketplace to encourage a safer, more productive, and more sustainable fishing industry. In some cases, it would be a significant improvement over the status quo.

Individual fishing quotas or IFQs would bring some regularity to what are currently short-lived, intense fishing seasons. Under this system, each participant in a fishery would be allocated a percentage of that season's total fish catch. Because they are guaranteed a certain amount of fish, fishermen wouldn't have to "race for fish." They could stretch their fishing out over longer, more balanced fishing seasons.

I believe that individual fishing quotas can help fisherman, fisheries, conservation, and consumers. IFQs can help fishing families because boats won't need to go out in dangerous weather. In addition, because of the slower pace, fishermen would be less likely to lose fishing gear, a common problem in some fisheries. This new system can help fisheries because fishermen will be able to sell or lease quota. That means there will be fewer boats, which can mean cleaner, more efficient fisheries.

In addition, IFQs can improve conservation. In some cases when the fishery slows down, fishermen take better care of their catch and are more careful with bycatch. Let's look at just one example of how the speed of the current system hurts conservation. Currently, some North Pacific crabs that are too small to be caught legally end up trapped in crab pots. Under the race for fish, these pots are harvested so quickly that undersized crabs don't have time to escape. Under a slower fishery, those small crabs would have time to crawl out of the crab pots and grow to maturity, thereby helping to sustain the fishery into the future.

For consumers, IFQs mean they can enjoy fresh fish later in the seasons. For example, fresh halibut is now available more often as a result of a fish quota program put in place to manage halibut harvesting. Clearly, individual fishing quotas can be an effective management tool and can solve a lot of the problems facing fisheries today.

I'm pleased that many of my colleagues have expressed interest in IFQs. In fact, a number of members would like to see a national policy on IFQs developed. Since 1996, I've supported fish quotas and a national policy, and I reiterate my support again today.

But in the meantime, there are important steps we can take. When Congress reauthorized the Magnuson-Stevens Fishery Conservation and Management Act in 1996, Congress placed a

four-year moratorium on new individual fishing quota programs. The moratorium on new quota programs expired on September 30, 2000. Now that this ban has expired, we should allow fishery management councils to develop additional fish quota programs. Councils should have the freedom to develop and implement these programs. I am not advocating that Councils be required to implement them, because individual fishing quota programs must be developed on a fishery-by-fishery basis. I do think, however, that individual quota programs should be available as one of the many management tools Councils may draw upon. I must add that all eight Councils have asked for this freedom and have asked for Congress to lift the moratorium.

However, I know that some members want to extend the moratorium. They don't want to allow some fisheries to go ahead with IFQs until there is a national policy in place. I understand and appreciate this perspective. I also recognize members of the environmental community would be more comfortable with such programs if a national policy were already in place. As I said, I support a national policy on these programs, and I look forward to working with my colleagues next year to develop one.

However, I would like to point out that all fishery management plans, including those that rely on quota programs, are required to meet the national standards already in the Act. Let me offer a few examples of these standards. Any fish quota program would have to meet National Standard 4, which prohibits conservation and management measures from discriminating between residents of different states. This standard also mandates that fishing privileges be allocated fairly and equitably, that they are calculated to promote conservation, and that they are carried out so that no entity shall have an excessive share. Any fish quota program would also have to meet National Standard 8, which requires such measures to take into account the importance of fishery resources to fishing communities. They would also have to meet National Standard 9, which requires measures to minimize bycatch, and National Standard 10, which addresses safety.

In addition, the Act requires all individual fishing quota programs approved on or after October 1, 2000, to meet several additional criteria. For example, these programs must be subject to review based on any future national policy and such revision may require reallocation of quota. These programs must also be effectively managed and enforced, which may require reliance on observers and/or cost-recovery fees. In addition, these criteria address the most contentious aspect of individual quota programs: the initial allocation of quota. The Act requires programs to ensure a fair initial allocation of quota, to prevent excessive control

over quota, and to include a mechanism for entry-level fishermen, small vessel owners and crew members to access quota. I think all of these examples illustrate that some elements integral to a national policy on individual fishing quota programs are already included in the Act. I believe we are much closer to having a national policy in place than some people may believe.

Unfortunately, it appears likely that the moratorium will be extended. Therefore, I ask my colleagues to consider several caveats to this extension. First, I ask that the moratorium be extended for only 8 months. This will take the moratorium off the appropriations cycle. Placing the moratorium on the yearly appropriations cycle creates a precedent that is easy to repeat every year. Taking the moratorium off the appropriations cycle will increase the urgency for Congress to develop a national policy within the months ahead.

Second, I ask for an exception to the moratorium for fixed-gear sablefish along the West Coast. This fishery is ready for fishermen to be allowed to consolidate permits, which is technically considered an IFQ. In fact, the fishery has been ready to do so since 1994. We should not make these fishermen wait any longer. They deserve to be freed from a 9-day race for fish, and fishermen who want to get out of the fishery should be compensated for their investments. I ask for your support for this exception.

Third, I support asking NMFS to gather input from the eight regional Councils on a national policy for individual fishing quotas. It is appropriate and important for Congress to have this input before we finalize a national policy on quota programs.

Most important, however, I ask for the commitment of my colleagues to deal with this issue next year, during the first session of the 107th Congress. It is not fair to punish those few fisheries that are ready to move forward with quota programs just because other fisheries are not. We have already had four years to resolve these issues, to no avail. If my colleagues believe this issue must be addressed within the broader context of Magnuson-Stevens Fishery Conservation and Management Act reauthorization, I understand and I hope they will consider this Senator ready and willing to move forward with that challenge. I support Senator SNOWE's and Senator KERRY's efforts to hold more hearings on reauthorization, and I offer to help them in any way I can to ensure it happens.

Let's commit ourselves to have a productive, comprehensive dialogue on a national policy. Let's commit to reaching a consensus that will allow our Councils and fisheries to pursue this innovative, effective solution that can work for fishing families, fisheries, conservation and consumers.

RELIEF NEEDED FROM RISING PRESCRIPTION DRUG PRICES

Mr. JOHNSON. Mr. President, I rise today to review where we stand, near the conclusion of the 106th Congress, on the subject of prescription drugs. Few issues have caught the public's attention more than this one, and few are more deserving of our attention.

We live at a time when we can clearly discern remarkable benefits from all manner of drugs. It is nothing short of miraculous when we consider the relative ease and success of today's treatment of common disorders, as compared with that of only two or three generations ago.

When World War II began, for example, penicillin and other similar antibiotics were known only to a small number of scientists. At the conclusion of the War in 1945, penicillin was widely available, used not only for battle wounds but for infectious diseases in the general public as well. Patients with high blood pressure or high cholesterol levels were, at best, only partially and inadequately treated in the 1940's and 1950's. Now success is the rule, rather than the exception. Calvin Coolidge's son died in 1924 as a result of a blister and a skin infection after playing tennis at the White House. An infection like that today would be treated as simple, outpatient therapy.

While these examples are noteworthy and provide us with a valuable perspective of times gone by, the hard, cold fact is that many of these modern miracles are still out of the reach of too many American citizens. They simply cannot afford the drugs that might so often prove lifesaving, because of either no insurance or lack of drug coverage within their insurance.

Why is this? Because, astronomical prices have come hand-in-hand with the great improvements in drug therapy. Spending for prescription drugs in the United States doubled between 1990 and 1998. In each of the five years between 1993 and 1998, prescription drug spending increased by an average of 12.4 percent. In 1999, the increase was 19 percent. We could go into all the reasons, but the fact remains that prescription drug prices are high and getting higher.

Many millions of Americans, both Medicare age and younger have either inadequate or no prescription drug insurance at all. A by-product of no coverage is that these patients wind up paying the highest rates of anyone—an average of 15 percent more than those with insurance. Many of these uninsureds, including the seniors often called "The Greatest Generation" are not filling prescriptions because of their cost—choosing between food and medicine. Or they split pills in half to make them go farther. This is shameful. These are very real every day problems that beg for help.

So, given the fact of these well documented problems, what is the track record of this Congress in helping the citizens in my home state of South Dakota and the citizens of the United

States? What do I tell my constituents back in Sioux Falls, or Custer, or Milbank when they ask me why nothing has been done to help them? I wish I could tell them that help is on the way. I wish I could tell them that the majority leadership heard their voices and scheduled the hearings and called for the votes. But, that just is not the case.

Early in this Congress, I introduced, along with Senator KENNEDY, the Prescription Drug Fairness for Seniors of Act of 1999". This bill would provide Medicare beneficiaries access to prescription drugs at the same low prices that drug manufacturers offer their most favored customers, such as large insurance companies, HMO's, and the Federal Government. Without cost to the taxpayers, my proposal could save seniors approximately 40 percent on their drug bills, yet we did not see a vote on this floor.

Similarly, in May of this year, I introduced the Generic Pharmaceutical Access and Choice for Consumers Act". This bill encourages the broader use of generics in Federal health programs, a straight-forward common sense approach, yet we did not see a vote on this floor.

Other measures that could have made a tremendous difference to millions of Americans also languished. This Congress should have passed a voluntary universal Medicare drug benefit plan. It did not.

This Congress should have addressed rising drug prices. It did not.

This Congress should have passed a truly strong and effective drug reimportation plan. It did not.

This Congress should have passed a generic drug access plan. It did not.

Mr. President, let me conclude by stating that these problems will not go away. Nor will my commitment for their resolution on behalf of the people of South Dakota and Americans across this country. The hope that this Congress will seriously address prescription drug costs and provide comprehensive Medicare drug coverage yet this year is all but an aspiration at this point. That being said, in a few months we will commence the 107th Congress. I will continue to do all that I can to work with my colleagues and urge the earliest possible discussions regarding prescription drugs in committee rooms and on the floor of the Senate. I believe this is the wish of most of the members in this body, as well as the wish and hope of the American people.

ADDITIONAL STATEMENTS

RECOGNITION OF RHODE B. (R.B.) CAUSEY, SR. AS ARKANSAS' 2000 PRIME TIME AWARD RECIPIENT

• Mrs. LINCOLN. Mr. President, in October, the Special Committee on Aging joined Green Thumb to recognize the enormous contributions that this year's Green Thumb "Prime Time Award" recipients are making to their community and our country.

The Senior Community Service Employment Program is one of the best kept secrets in the country. This program is an innovative and cost-effective federal initiative that allows our nation's seniors to remain productive and independent by contributing their talent and services to their communities.

Some of Arkansas' finest employment programs for seniors are sponsored by Green Thumb, and I am pleased to recognize Arkansas' 2000 Prime Time Award recipient, Rhode B. (R.B.) Causey, Sr.

R.B., now 96 years old, grew up in a family of 13 children and sold business supplies and office machines during the Depression. These experiences, coupled with his ingenuity, persistence, and strong work ethic, prepared R.B. to branch out on his own in 1952 and open a business supply company. Today, R.B. and his son own and operate the R.B. Causey Company in Little Rock.

As if going in to work every day wasn't enough to keep him busy, R.B. also manages his own farm where he produces soybean and rice crops. The farm is also home to his extensive bee-keeping hobby.

R.B.'s recipe for success: "Don't give up, stay involved, do something." provides a great example to all of us about the importance of staying active in our "golden years."

I am fortunate to know R.B. and other Arkansas senior workers who are so vibrant and enthusiastic about their jobs. I only hope that when I am 75, 80, or 85 I will have half of their energy and zest for life!

America's senior population has great value. They have earned our nation's respect and support. Green Thumb and other senior employment programs allow communities to continue to reap the wisdom of our nation's talented seniors citizens. •

TRIBUTE TO MS. JUDY ENGLAND-JOSEPH

• Mr. BOND. Mr. President, I rise today to honor Ms. Judy England-Joseph who retired from the General Accounting Office, GAO, this past March. Her departure from federal service is a great loss to the federal government as well as to all offices in the Senate. Judy was a superlative federal employee with a record of honesty and integrity as well as a commitment to a job well done.

Ms. England-Joseph had been with GAO since 1975 working on a number of important federal issues in the fields of personnel and compensation, human resources, and energy, to name a few. However, I think most of my colleagues would agree that Judy's most outstanding contributions came as the Director of Housing and Community Development Issues at GAO. As Director, she had the primary responsibility for overseeing for the Congress the audit and evaluation of all programs and activities at the Department of Housing and Urban Development, the Small Business Administration, and

the Federal Emergency Management Agency, including those concerning housing, community and economic development, and federal disaster responsibilities.

As Chairman of the Appropriations Subcommittee on VA, HUD, and Independent Agencies and the Committee on Small Business, I found Judy to be an invaluable resource for objective and timely information that was critical to fulfilling my responsibilities. Judy not only testified numerous times before my appropriations subcommittee and the Committee on Small Business, but also personally met with me and my staff to discuss pressing issues and provide us with the critical information needed to make policy decisions. Judy was more than a resource to my committees; I also viewed her as a teammate and partner who shared my goal of making government truly accountable and as efficient as possible.

To say that we miss Judy would be an understatement. Judy epitomized public service. Her energy was boundless, her knowledge of policy issues was rarely matched, and her commitment to doing the right thing underlined her approach to her job and responsibilities.

I am honored to have worked with Judy and commend her for the years of service she provided to the Congress and the American Taxpayer. •

DAVID BROWER

• Mrs. BOXER. Mr. President, today, I note with sadness the passing of David Brower, a great conservationist who died last month at his home in Berkeley, California. David Brower worked for more than half a century to preserve and protect the American landscape he loved so well. He served our nation in war and peacetime as a soldier, writer, and activist, and enriched the lives of many Americans.

Born in Berkeley in 1912, young David Brower learned to appreciate nature by guiding his blind mother on walks through the Berkeley hills. In the 1930s, he worked at Yosemite National Park and became a skilled mountaineer. During World War II he trained troops in climbing techniques, wrote the Army's alpine manual, and fought in northern Italy.

After the war he returned to California and volunteered at the Sierra Club, which was then a hiking organization with little involvement in public policy. After writing the first Sierra Club Manual, he became the club's first executive director in 1952. Under his leadership, the club's membership grew from 7,000 to 70,000 as it became the nation's leading environmental organization. After leading the Sierra Club for 17 years, Mr. Brower went on to found the Friends of the Earth and the Earth Island Institute, and he helped to establish the League of Conservation Voters.

During the 1950s and 1960s, Mr. Brower led the Sierra Club's successful efforts to block the construction of dams in Grand Canyon National Park and Dinosaur National Monument. He often said, half jokingly, that "All I have been able to do in my career is to slow the rate at which things get worse."

But in fact he made things better. David Brower was instrumental in the creation of Redwoods National Park, North Cascades National Park, and Cape Cod National Seashore as well as the passage of the Wilderness Act and establishment of the National Wilderness Preservation System.

Our Nation has lost a giant, but we must try to walk in his footsteps. David Brower's life and legacy will live as long as we continue to preserve, protect, and enjoy America's natural treasures.*

OUTSTANDING IDAHOAN

• Mr. CRAIG. Mr. President, I rise to congratulate Katie Kirkham, a high school sophomore from Century High School in Pocatello, ID. Katie represented Idaho's horse program at the National 4-H Congress in Atlanta, Georgia, on November 24-28, 2000. She was one of twelve teens in the nation honored with the responsibility of introducing a guest speaker at the event.

There are thousands of young people involved in 4-H in the state of Idaho. And as a former 4-H member myself, I take special pride in recognizing the 4-H program, which has been educating Idaho youth on agricultural issues for generations, and will continue to do so for generations to come. I congratulate Katie on her outstanding accomplishment.*

MESSAGES FROM THE HOUSE

At 12:08 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 5637. An act to provide that an amount available for fiscal year 2001 for the Department of Transportation shall be available to reimburse certain costs incurred for clean-up of former Coast Guard facilities at Cape May, New Jersey, and to authorize the Coast Guard to transfer funds and authority for demolition and removal of a structure at former Coast Guard property in Traverse City, Michigan.

H.R. 5640. An act to expand homeownership in the United States, and for other purposes.

H.J. Res. 126. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the House has passed the following bills, without amendment:

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2594. An act to authorize the Secretary of the Interior to contract with the Mancos

Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of non-project water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

S. 3137. An act to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

The message further announced that the House has passed the bill (S. 1761) to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley, with an amendment, in which it requests the concurrence of the Senate.

ENROLLED BILL SIGNED

At 3:05 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the House Speaker has signed the following enrolled joint resolution:

H.J. Res. 126. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The enrolled joint resolution was signed subsequently by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on November 2, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 11. An act for the relief of Wei Jingsheng.

S. 150. An act for the relief of Marina Khalina and her son, Albert Miftakhov.

S. 276. An act for the relief of Sergio Lozano.

S. 768. An act to amend title 18, United States Code, to establish Federal jurisdiction over offenses committed outside the United States by persons employed by or accompanying the Armed Forces, or by members of the Armed Forces who are released or separated from active duty prior to being identified and prosecuted for the commission of such offenses, and for other purposes.

S. 785. An act for the relief of Frances Schochenmaier and Mary Hudson.

S. 869. An act for the relief of Mina Vahedi Notash.

S. 1078. An act for the relief of Mrs. Elizabeth Eka Bassey, Emmanuel O. Paul Bassey, and Mary Idongesit Paul Bassey.

S. 1513. An act for the relief of Jacqueline Salinas and her children Gabriela Salinas, Alejandro Salinas, and Omar Salinas.

S. 2000. An act for the relief of Guy Taylor.

S. 2002. An act for the relief of Tony Lara.

S. 2019. An act for the relief of Malia Miller.

S. 2289. An act for the relief of Jose Guadalupe Tellez Pinales.

S. 2413. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the procedures and conditions for the award of matching grants for the purchase of armor vests.

S. 2547. An act to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.

S. 2712. An act to amend chapter 35 of title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies, and for other purposes.

S. 2915. An act to make improvements in the operation and administration of the Federal courts, and for other purposes.

S. 3194. An act to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the "Robert S. Walker Post Office."

Under authority of the order of the Senate of January 6, 1999, the enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on November 3, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolutions:

S. 1670. An act to revise the boundary of Fort Matanzas National Monument, and for other purposes.

S. 1880. An act to amend the Public Health Service Act to improve the health of minority individuals.

S. 1936. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.

S. 2020. An act to adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

S. 2440. An act to amend title 49, United States Code, to improve airport security.

S. 2485. An act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

S. 2773. An act to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes.

S. 2789. An act to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board.

S. 3164. An act to protect seniors from fraud.

S. 3239. An act to amend the Immigration and Nationality Act to provide special immigrant status for certain United States international broadcasting employees.

H.J. Res. 84. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

H.J. Res. 124. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

Under authority of the order of the Senate of January 6, 1999, the enrolled bills and joint resolutions were signed subsequently by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on November 14, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolution:

H.R. 2346. An act to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

H.R. 4986. An act to amend the Internal Revenue Code of 1986 to repeal the provisions

relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income.

H.J. Res. 125. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

Under authority of the order of the Senate of January 6, 1999, the enrolled bills and joint resolutions were signed subsequently by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on November 14, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5633. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on November 15, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 5633. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

Under authority of the order of the Senate of January 6, 1999, the enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on December 4, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 2796. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Under authority of the order of the Senate of January 6, 1999, the enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on December 5, 2000, he had presented to the President of the United States, the following enrolled bill:

S. 2796. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-11509. A communication from the Under Secretary of Commerce For Intellectual Property and Director, Patent and Trademark Office, transmitting, pursuant to law, the report of a rule entitled "Treatment of Unlocatable Patent Application and Patent Files" (RIN0651-AB19) received on November 13, 2000; to the Committee on the Judiciary.

EC-11510. A communication from the Rules Administrator of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Inmate Discipline: Prohibited Acts" (RIN1120-AA78) received on November 13, 2000; to the Committee on the Judiciary.

EC-11511. A communication from the Chairman of the Postal Rate Commission, transmitting, pursuant to law, a report relative to the Omnibus Rate Case R2000-1; to the Committee on Governmental Affairs.

EC-11512. A communication from the Special Counsel, transmitting, pursuant to law, a report for fiscal year 2000; to the Committee on Governmental Affairs.

EC-11513. A communication from the Chairman of the Defense Nuclear Facilities Safety Board, transmitting, pursuant to the Federal Managers' Financial Integrity Act; to the Committee on Governmental Affairs.

EC-11514. A communication from the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the combined annual report; to the Committee on Governmental Affairs.

EC-11515. A communication from the Chairman of the Occupational Safety and Health Review Commission, transmitting, pursuant to law, a report relative to fiscal year 2000 activities; to the Committee on Governmental Affairs.

EC-11516. A communication from the Chairman of the Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, a report relative to audit and investigative coverage; to the Committee on Governmental Affairs.

EC-11517. A communication from the Executive Director of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, a report relative to fiscal year 2000; to the Committee on Governmental Affairs.

EC-11518. A communication from the Acting Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report relative to fiscal year 2000; to the Committee on Governmental Affairs.

EC-11519. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Angling Category; Retention Limit Adjustment" (I.D. 101700B) received on November 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11520. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 2" received on

November 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11521. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Fisheries of the Northeastern United States; Spiny Dogfish Fishery; 2000 Specifications" (RIN0648-AN53) received on November 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11522. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Monticello, IA; docket no. 00-ACE-5 [4-11/11-2]" (RIN2120-AA66) (2000-0266) received on November 9, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11523. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Lockheed Model 11-1011-385 Airplanes; docket no. 98-NM-35 [10-20/11-13]" (RIN2120-AA64) (2000-0544) received on November 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11524. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Raytheon Model DH 125, Series 800A and Hawkins 800 Series Airplanes; docket no. 99-NM-376 [10-30/11-13]" (RIN2120-AA64) (2000-0546) received on November 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11525. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Compressed Natural Gas Fuel Container Integrity; Final rule petitions for reconsideration" (RIN2127-AH94) received on November 13, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11526. A communication from the Associate Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands, ET Docket No. 95-183, Implementation of Section 309(j) of the Communications Act — Competitive Bidding, 37.0-38.6 and 38.6-40.0 GHz Bands, PP Docket No. 93-253" (FCC99-179, ET Dock. 95-183) received on November 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11527. A communication from the Administrator, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report entitled "Fundamental Properties of Asphalts and Modified Asphalts—II"; to the Committee on Environment and Public Works.

EC-11528. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Changes to the Unplanned Scram and Unplanned Scram with Loss of Normal Heat Removal Performance Indicators" (NRC Regulatory Issue Summary 2000-21) received on November 13, 2000; to the Committee on Environment and Public Works.

EC-11529. A communication from the Acting Director of the Division of Endangered Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant

to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Designation of Critical Habitat for the Tidewater Goby" received on November 15, 2000; to the Committee on Environment and Public Works.

EC-11530. A communication from the Director of the Office of Congressional Affairs, Office of International Programs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Export and Import of Nuclear Equipment and Materials (10CFR Part 110)" (RIN3150-AG51) received on November 16, 2000; to the Committee on Environment and Public Works.

EC-11531. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Final endangered status for a distinct population segment of anadromous Atlantic salmon (Salmon salar) in the Gulf of Maine" (RIN1018-AF80) received on November 15, 2000; to the Committee on Environment and Public Works.

EC-11532. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana" (RIN1018-AE00) received on November 16, 2000; to the Committee on Environment and Public Works.

EC-11533. A communication from the General Counsel-Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Annual Charges Assessed To Public Utilities", Docket No. RM00-7-000" (RIN1902-AB02) received on November 13, 2000; to the Committee on Energy and Natural Resources.

EC-11534. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Irradiation in the Production, Processing and Handling of Food" (Docket No. 99F-2673) received on November 9, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11535. A communication from the Director, Office of Federal Contract Compliance Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Government Contractors: Non-discrimination and Affirmative Action Obligations, Executive Order 11246 (ESA/OFCCP)" (RIN1215-AA01) received on November 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11536. A communication from the National Institute of Health Regulations Officer, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Traineeships" (RIN0925-AA11) received on November 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11537. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Sodium Stearoyl Lactylate" (Docket No. 99F-3087) received on November 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11538. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Exemption From Federal Preemption of State and Local

Cigarette and Smokeless Tobacco Requirements; Revocation" (Docket No. 00N-1561) received on November 13, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11539. A communication from the Assistant Secretary, Office of Safety Standards Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Ergonomics Program" (RIN1218-AB36) received on November 14, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11540. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Spanish Pure Breed Horses from Spain" (Docket #00-109-1) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11541. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Horses, Ruminants, Swine, and Dogs; Inspection and Treatment for Screwworm" (Docket #00-028-1) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11542. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Brucellosis in Cattle; State and Area Classifications; Louisiana" (Docket #99-052-2) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11543. A communication from the Associate Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes in Fees for Voluntary Fruits and Vegetables, Processed Thereof, and Certain Other Processed Food Products, Regulations Governing Grading, Inspection and Certifications Services" (RIN0581-AB85) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11544. A communication from the Associate Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Modoc and Siskiyou Counties, California, and in all Counties in Oregon, except Malheur County; Suspension of Handling, Reporting, and Assessment Collection Regulations" (Docket #FV00-947-1 FIR) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11545. A communication from the Associate Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tomatoes Grown in Florida; Change in Size Designation" (Docket #FV00-966-1 IFR) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11546. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenhexamid; Pesticide Tolerances for Emergency Exemptions" (FRL #6752-4) received on November 16, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11547. A communication from the Secretary of the Department of the Air Force, transmitting, pursuant to law, a report relative to a cost comparison to reduce the cost of the Civil Engineering functions; to the Committee on Armed Services.

EC-11548. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations 65 FR 64380 10/27/00" received on November 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11549. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations 65 FR 64386 10/27/00" received on November 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11550. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations 65 FR 64372 10/27/00" (FEMA Doc. #B-7400) received on November 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11551. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations 65 FR 64378 10/27/00" (FEMA Doc. #B-7402) received on November 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11552. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations 65 FR 64374 10/27/00" (FEMA Doc. #B-7402) received on November 13, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11553. A communication from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Payment for Non-VA Public or Private Hospital Care and Non-VA Physician Services that are Associated with Either Outpatient or Inpatient Care" (RIN2900-AK57) received on November 13, 2000; to the Committee on Veterans' Affairs.

EC-11554. A communication from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Montgomery GI Bill Eligibility and Entitlement Issues" (RIN2900-AJ90) received on November 13, 2000; to the Committee on Veterans' Affairs.

EC-11555. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled "Weisbart v. U.S. Dept of Treas. and IRS" received on November 13, 2000; to the Committee on Finance.

EC-11556. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the selected acquisition reports for the quarter ending September 30; to the Committee on Armed Services.

EC-11557. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Fire Protection Engineering Functional Area Qualification; DOE Defense Nuclear Facilities Technical Personnel" (DOE-STD-1137-2000) received on November 13, 2000; to the Committee on Armed Services.

EC-11558. A communication from the Assistant General Counsel for Regulatory Law, Office of Defense Programs, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Criteria for Packaging and Storing Uranium-233-Bearing Materials" (DOE-STD-3028-2000) received on November 13, 2000; to the Committee on Armed Services.

EC-11559. A communication from the Acting Assistant Secretary of Defense, transmitting, pursuant to law, a report relative to each military treatment facility; to the Committee on Armed Services.

EC-11560. A communication from the Assistant General Counsel for Regulatory Law, Office of Defense Programs, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Planning and Conduct of Operational Readiness Reviews (OOR)" (DOE-STD-3006-2000) received on November 13, 2000; to the Committee on Armed Services.

EC-11561. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Industrial Hygiene Functional Area Qualification Standard; DOE Defense Nuclear Facilities Technical Personnel" (DOE-STD-1138-2000) received on November 13, 2000; to the Committee on Armed Services.

EC-11562. A communication from the General Counsel of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Collaborative Procedures for Energy Facility Applications" (Docket Nos. RM98-16-000 and RM98-16-001) received on November 17, 2000; to the Committee on Energy and Natural Resources.

EC-11563. A communication from the Deputy Chief for the National Forest System, Department of Agriculture, transmitting, pursuant to law, the report relative to the detailed boundary maps for McKenzie and North Fork of the Middle Fork of the Willamette on the Willamette National Forest, and the North Umpqua on the Umpqua National Forest; to the Committee on Energy and Natural Resources.

EC-11564. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Regulatory Program" (TX-047-FOR) received on November 27, 2000; to the Committee on Energy and Natural Resources.

EC-11565. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Colorado Regulatory Program" (CO-032-FOR) received on November 27, 2000; to the Committee on Energy and Natural Resources.

EC-11566. A communication from the Assistant Secretary of the Interior, Bureau of Land Management, Department of Interior, transmitting, pursuant to law, the report of a rule entitled "Mining Claims Under the General Mining Laws: Surface Management" (RIN1004-AD23) received on November 27, 2000; to the Committee on Energy and Natural Resources.

EC-11567. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units" (FRL #6905-1) received on November 17, 2000; to the Committee on Environment and Public Works.

EC-11568. A communication from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting, pursuant to law, a report relative to Roosevelt Inlet-Lewes Beach, Delaware; to the Committee on Environment and Public Works.

EC-11569. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, a report relative to the required explanation concerning the recently adopted final com-

ponent of PCA; to the Committee on Banking, Housing, and Urban Affairs.

EC-11570. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the report on state reciprocal subpoena enforcement laws; to the Committee on Banking, Housing, and Urban Affairs.

EC-11571. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "12 C.F.R. 701 Organization and Operation of Federal Credit Union" received on November 17, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11572. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report relative to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-11573. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations 65 FR 68919 11/15/2000" (Doc. #FEMA-B-7328) received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11574. A communication from the Assistant to the Board, Board of Governor of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending)" received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11575. A communication from the Assistant to the Board, Board of Governor of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Consumer Protections for Depository Institution Sales of Insurance; Amendments to Regulation H—Membership of State Banking Institutions in the Federal Reserve System" (Docket No. R-1079) received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11576. A communication from the Secretary of the Division of Market Regulation, U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Exchange Act Rule 11Ac1-7 (Trade-Through Disclosure Rule) and amendments to Exchange Act Rule 11Ac1-1 (Quote Rule)" received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11577. A communication from the Secretary of the Division of Market Regulation, U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rule 11Ac1-5 and Rule 11Ac1-6 under the Securities Exchange Act of 1934 relating to disclosure of order execution and routing practices" (RIN3235-AH95) received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11578. A communication from the Secretary, Office of the Chief Accountant, U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions of the Commission's Auditor Independence Requirements" (RIN3235-AH91) received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11579. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Technical Updating Amendments and Correction to Certain Executive Branch Regulations of the Office of Government Ethics" (RIN3209-AA00 and 3209-AA04) received on November 14, 2000; to the Committee on Governmental Affairs.

EC-11580. A communication from the Executive Director of the Committee for Pur-

chase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on November 17, 2000; to the Committee on Governmental Affairs.

EC-11581. A communication from the Executive Director of the State Justice Institute, transmitting, pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, the annual report; to the Committee on Governmental Affairs.

EC-11582. A communication from the Director of the Woodrow Wilson Center, transmitting, pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, the annual report for fiscal year 1999; to the Committee on Governmental Affairs.

EC-11583. A communication from the Chair of the Architectural and Transportation Barriers Compliance Board, transmitting, pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, a consolidated report; to the Committee on Governmental Affairs.

EC-11584. A communication from the Chairman of the Commission for the Preservation of America's Heritage Board, transmitting, pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, a consolidated report for fiscal year 2000; to the Committee on Governmental Affairs.

EC-11585. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to the Government in the Sunshine Act, the annual report for calendar year 1999; to the Committee on Governmental Affairs.

EC-11586. A communication from the Staff Director of the Commission on Civil Rights, transmitting, pursuant to law, the second annual Commercial Activities Inventory Report; to the Committee on Governmental Affairs.

EC-11587. A communication from the Chairman of the Postal Rate Commission, transmitting, pursuant to the Inspector General Act, the annual report; to the Committee on Governmental Affairs.

EC-11588. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on November 17, 2000; to the Committee on Governmental Affairs.

EC-11589. A communication from the Executive Director of the State Justice Institute, transmitting, pursuant to the Federal Managers' Financial Integrity Act, a consolidated annual report; to the Committee on Governmental Affairs.

EC-11590. A communication from the Executive Director of the Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list received on November 27, 2000; to the Committee on Governmental Affairs.

EC-11591. A communication from the Executive Director of the Morris K. Udall Foundation, transmitting, pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, the annual report; to the Committee on Governmental Affairs.

EC-11592. A communication from the Executive Director of the State Justice Institute, transmitting, pursuant to the Inspector General Act, the report for the six-month period ending September 30, 2000; to the Committee on Governmental Affairs.

EC-11593. A communication from the Acting Executive Vice President, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "7 CFR 1424, Bioenergy Program" (RIN0560-AG16) received on

November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11594. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Massachusetts, et al.; Increases Assessment Rate" (Docket Number: FV00-929-4 FIR) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11595. A communication from the Director of the Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Department of Agriculture Priorities and Administrative Guidelines for Donation of Excess Research Equipment" (RIN0599-AA06) received on November 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11596. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Stamp Program: Non-citizen eligibility and Certification Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996" (RIN0584-AC40) received on November 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11597. A communication from the Secretary of the Department of Agriculture, transmitting, pursuant to law, the annual Horse Protection Enforcement Report; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11598. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle, Bison, and Captive Cervids; State and Zone Designations" (Docket #99-092-1) received on November 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11599. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, and Tangelos Grown in Florida; Limiting the Volume of Small Red Seedless Grapefruit" (Docket Number: FV00-905-4 FIR) received on November 27, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11600. A communication from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "To amend 31 CFR Part 306—General Regulations Governing U.S. Securities and 31 CFR Part 356—Sale and Issue of Marketable Book-Entry Treasury Bills, Notes and Bonds (Department of the Treasury Circular, Public Debt Series No. 1-93) received on November 9, 2000; to the Committee on Finance.

EC-11601. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Proc. 2000-48 Year 2001 Standard Mileage Rates" (Rev. Proc. 2000-48) received on November 16, 2000; to the Committee on Finance.

EC-11602. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Comprehensive Case Resolution Pilot Notice" (Notice 2000-60, 2000-49 I.R.B.) received on November 17, 2000; to the Committee on Finance.

EC-11603. A communication from the Chief, Regulations Unit, Internal Revenue Service,

Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Trusts Not Considered Individuals for Purposes of Section 935" (Notice 2000-61; OGI-123236-00) received on November 27, 2000; to the Committee on Finance.

EC-11604. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual covered compensation tables" (Revenue Ruling 2000-53) received on November 27, 2000; to the Committee on Finance.

EC-11605. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the strategic plan for fiscal year 2000 through fiscal year 2005; to the Committee on Finance.

EC-11606. A communication from the Assistant Secretary of State, Legislative Affairs, transmitting, pursuant to law, a report relative to danger pay allowance for Albania; to the Committee on Foreign Relations.

EC-11607. A communication from the Assistant Secretary of State, Legislative Affairs, transmitting, pursuant to law, a report relative to nuclear nonproliferation in South Asia; to the Committee on Foreign Relations.

EC-11608. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-11609. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Polymers" (Docket No. 93F-0319) received on November 17, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11610. A communication from the Director, Employment Standards Administration, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Procedures for Predetermination of Wage Rates (29 CFR Part 1); Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction and to Certain Non-construction Contracts (29 CFR Part 5)" (RIN1215-AA94) received on November 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11611. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: International Aero Engines AG (IAE) V2500-A5 and D-5 Series Turbofan Engines Docket No. 2000-NE-21, Amdt. 39-11953; AD 2000-22-07 [11-2-11-16]" (RIN2120-AA64) (2000-0547) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11612. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; request for comments: Boeing Model 747-100, 200B, 200C, 200F, and 300 Series Airplanes Delivered in or modified into the stretched Upper Deck Configuration; Docket No. 2000-NM-136-AD; Amdt 39-11962; AD 2000-22-15 [11-7-11-16-00]" (RIN2120-AA64) (2000-0548) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11613. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Request for comments; Robinson Helicopter Company model R22 Helicopters; Docket No. 2000-SE-51AD [11-7-11-16-00]" (RIN2120-AA64) (2000-0549) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11614. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney JT8D-200 Series Turbofan Engines Docket No. 98-ANE-43-AD, Amdt. 39-11939; AD 2000-21-07 [11-2-11-16-00]" (RIN2120-AA64) (2000-0550) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11615. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney PW 2000—Series Turbofan Engines (correction) Docket No. 98-ANE-61-AD, Amdt. 39-11941; AD 2000-21-09 [11-2-11-16-00]" (RIN2120-AA64) (2000-0551) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11616. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney JT8D Series Turbofan Engines Docket No. 98-ANE-48-AD, Amdt. 39-11940; AD 2000-21-08 [11-2-11-16-00]" (RIN2120-AA64) (2000-0552) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11617. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-100, 200, 200C, 300, 400 and 500 Series Airplanes Docket No. 99-NM-69AD; Amdt. 39-11906; AD 200-19-05. [11-1-11-16]" (RIN2120-AA64) (2000-0553) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11618. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule Fokker Model F.28 mark 0100 Series Airplanes; Docket No. 2000-NM-17AD; Amdt. 39-11944; AD 2000-21-12 [11-15-11-16]" (RIN2120-AA64) (2000-0555) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11619. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: British Aerospace (Jetstream) Model 4101 Airplanes Docket No. 2000-NM-152-AD; Amdt. 39-11963; AD 2000-22-16 [11-8-11-16-00]" (RIN2120-AA64) (2000-0556) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11620. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-9-10, 20, 30, 40, and 50 Series Airplanes and C-9 (Military) Airplanes. Docket No. 2000-NM-04, AD Amdt. 39-11961; AD 2000-22-14 [11-8-11-16-00]" (RIN2120-AA64) (2000-0557) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11621. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120 Series Airplanes Docket No. 2000-NM-130-AD, Admt. 39-11954; AD 2000-22-08. [11-6-11-16-00]" (RIN2120-AA64) (2000-0558) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11622. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; SOCATA—groupe Aerospatiale Models MS880B, MS 885, MS 892A-150, MS 893E, MS894A, MS894E, Rallye 100S, Rallye 150T, Rallye150ST, Rallye 235C, and Rallye 235E Airplanes; Docket No. 2000-CE-34-AD [11-14-11-16-00]" (RIN2120-AA64) (2000-0559) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11623. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; request for Comments; McDonnell Douglas Model DC-9-10, 9-20, 9-30, 9-40, and 9-50 Series Airplanes; Docket No. 2000-NM-344-AD, Admt. 39-11968; AD 2000-22-20 [11-14-11-16]" (RIN2120-AA64) (2000-0560) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11624. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model SA330F, G, and J helicopters; Docket No. 2000-SW-14-AD [11-14-11-16-00]" (RIN2120-AA64) (2000-0561) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11625. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: CFE Company Model CFE738-1-1B Turbofan Engines Docket No. 98-ANE-69-AD, Admt. 39-11982; AD 2000-23-12 [11-14-11-16-00]" (RIN2120-AA64) (2000-0562) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11626. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; request for Comments; bombardier Model CL-600-2B16 (CL-604) Series Airplanes; Docket No. 2000-NM-315-AD Admt. 39-11972; AD2000-23-02 [11-14-11-16-00]" (RIN2120-AA64) (2000-0563) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11627. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; Aerospatiale Model ATR42-500 Series Airplanes; Docket No. 2000-NM-26, AD Admt. 39-11974; AD2000-23-04 [11-14-11-16-00]" (RIN2120-AA64) (2000-0564) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11628. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Models A310 and A300-600 Series Airplanes; Docket No. 2000-NM-114-AD Admt.

39-11978; AD2000-23-08 [11-15-11-16-00]" (RIN2120-AA64) (2000-0565) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11629. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Request for Comments; bell Helicopter textron, inc.—manufactured model OH-13E, OH-13H, and OH-13S Helicopters; Docket No. 2000-SW-36-AD [11-15-11-16-00]" (RIN2120-AA64) (2000-0566) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11630. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; Empresa Brasileira de Aeronautica SA. (AMBRAER) Model EMB-120 Series Airplanes; Docket No. 2000-NM-121-AD; Admt. 39-11958; AD2000-22-12 [11-15-11-16-00]" (RIN2120-AA64) (2000-0567) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11631. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls-Royce Spey 555-15, -15H, -15N, and -15P Turbofan Engines. Docket No. 2000-NE-03-AD Admt. 39-11981; AD2000-23-11 [11-15-11-16-00]" (RIN2120-AA64) (2000-0568) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11632. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Final Rule; request for comments; Boeing model 737 Series Airplanes; Docket No. 2000-NM-325-AD Admt. 39-11948; AD2000-22-02 [11-16-11-20]" (RIN2120-AA64) (2000-0570) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11633. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney JT9D Series Turbofan Engines Docket No. 99-NE-25, Admt. 39-11986; AD 2000-23-14 [11-20-11-20]" (RIN2120-AA64) (2000-0571) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11634. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Aerospatiale model ATR-42 and ATR-72 Series Airplanes Docket No. 98-NM-259-AD Admt. 39-11989; AD 98-09-16Ri [11-17-11-20]" (RIN2120-AA64) (2000-0573) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11635. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Israel Aircraft Industries, Ltd., Model 1121, 1121A, 1121B, 1123, 1124, and 1124A Series Airplanes; Docket No. 2000-NM-364AD Admt. 39-11985; AD 2000-23-13 [11-17-11-20]" (RIN2120-AA64) (2000-0574) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11636. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (61); Amdt. No. 2018 [11-2-11-16-00]" (RIN2120-AA65) (2000-0054) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11637. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (14); Amdt. No. 2017 Docket No. 30210 [11-2-11-16-00]" (RIN2120-AA65) (2000-0055) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11638. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspace Actions Modification of Class E Airspace; Willits, CA Docket No. 00-AWP-8 [11-2-11-16]" (RIN2120-AA66) (2000-0269) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11639. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class D Airspace, Robert Gray Army Airfield, TX. Docket No. 2000-ASW-18 [11-3-11-16]" (RIN2120-AA66) (2000-0271) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11640. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Atlanta, TX Docket No. 2000- ASW-19 [11-13-11-16]" (RIN2120-AA66) (2000-0272) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11641. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amends Class D and Class E4 Airspace; Gainesville, FL Docket No. 00-ASO-35 [11-13-11-16-00]" (RIN2120-AA66) (2000-0273) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11642. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amends Class D Airspace; Kissimmee FL, Docket No. 00-ASO-36 [11-13-11-16-00]" (RIN2120-AA66) (2000-0274) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11643. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amends Class E3 Airspace; Tallahassee, FL and Class E4 Airspace, Dothan, AL Vero Beach, FL; Athens, GA; Columbus Lawson AAF, GA Meridian Key filed, MS; meridian NAS McCain Field, MS; and Florence Docket No. 00-ASO-38 [11-13-11-16-00]" (RIN2120-AA66) (2000-0275) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11644. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishes Class D and E4 Airspace; New Bern, NC Docket No. 00-ASO-29 [11-9-11-16-00]" (RIN2120-AA66) (2000-0276) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11645. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishes Class E Airspace; Oak Grove NC Docket No. 00-ASO-33 [11-9-11-16-00]" (RIN2120-AA66) (2000-0277) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11646. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Realignment of Federal Airways, Docket No. 00-AGL-22 [11-9-11-16-00]" (RIN2120-AA66) (2000-0278) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11647. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, the report of five items; to the Committee on Environment and Public Works.

EC-11648. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List for Uncontrolled Hazardous Waste Sites" (FRL #6910-4) received on November 28, 2000; to the Committee on Environment and Public Works.

EC-11649. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Revision to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program" (FRL #6910-6) received on November 28, 2000; to the Committee on Environment and Public Works.

EC-11650. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Primary Drinking Water Regulations; Radionuclides; Final Rule" (FRL #6909-3) received on November 28, 2000; to the Committee on Environment and Public Works.

EC-11651. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans and Designations of Areas for Air Quality Planning Purposes; State of New Hampshire; Revision to the Carbon Monoxide State Implementation Plans, City of Nashua; Carbon Monoxide Redesignation Request, Maintenance Plan, Transportation Conformity Budget, and Emissions Inventory for the City of Nashua; Carbon Monoxide Redesignation Request, Maintenance Plan, Transportation Conformity Budget, and Emissions Inventory for the City of Manchester" (FRL #6906-2) received on November 28, 2000; to the Committee on Environment and Public Works.

EC-11652. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Supplemental Guidelines for the Award of Section 319 Nonpoint Source Grants in fiscal year 2001" (FRL #6908-9) received on November 28, 2000; to the Committee on Environment and Public Works.

EC-11653. A communication from the General Counsel of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Filing Requirements Under Part 33 of the Commission's Regulations" (RIN1902-AB73) received on November 27, 2000; to the Committee on Energy and Natural Resources.

EC-11654. A communication from the Comptroller General of the General Accounting Office, transmitting, pursuant to law, the report relative to the Legislative Reorganization Act; to the Committee on Governmental Affairs.

EC-11655. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to the Inspector General Act, the semiannual report for the period April 1, 2000 through September 30, 2000; to the Committee on Governmental Affairs.

EC-11656. A communication from the Secretary of Energy, transmitting, pursuant to the Inspector General Act, the semiannual report which covers the period of April 1 through September 30, 2000; to the Committee on Governmental Affairs.

EC-11657. A communication from the Deputy Administrator of the Environmental Protection Agency, transmitting, pursuant to the Federal Activities Inventory Reform Act, the report of all potential commercial activities; to the Committee on Governmental Affairs.

EC-11658. A communication from the Secretary of Agriculture, transmitting, pursuant to the Inspector General Act, the report covering the six-month period which ended September 30, 2000; to the Committee on Governmental Affairs.

EC-11659. A communication from the Secretary of Labor, transmitting, pursuant to the Inspector General Act, the semiannual report for the period April 1, 2000 through September 30, 2000; to the Committee on Governmental Affairs.

EC-11660. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Biological Product; Reporting of Biological Product Deviations in Manufacturing" (Docket No. 97N-0242) received on November 27, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11661. A communication from the Secretary of Education, transmitting, pursuant to law, the report relative to the provision of a free appropriate public education for all children and youth with disabilities; to the Committee on Health, Education, Labor, and Pensions.

EC-11662. A communication from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Caselink Document Database for Office of Special Counsel-Waco (OSCW)" received on November 28, 2000; to the Committee on the Judiciary.

EC-11663. A communication from the Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Environment and Natural Resources Division Case and Related Files System" received on November 28, 2000; to the Committee on the Judiciary.

EC-11664. A communication from the President of the United States, transmitting, pursuant to law, the six-month periodic report relative to the national emergency with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs.

EC-11665. A communication from the President of the United States, transmitting, pursuant to law, a notice stating that the emergency concerning Iran is to continue in effect beyond the anniversary date; to the Committee on Banking, Housing, and Urban Affairs.

EC-11666. A communication from the President of the United States, transmitting, pur-

suant to law, the report relative to the dangers of the proliferation of nuclear, biological, and chemical weapons; to the Committee on Banking, Housing, and Urban Affairs.

EC-11667. A communication from the President of the United States, transmitting, pursuant to law, the six-month periodic report relative to the national emergency caused by the lapse of the Export Administration Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-11668. A communication from the President of the United States, transmitting, pursuant to law, the report relative to the national emergency with respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs.

EC-11669. A communication from the Associate General for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "CDBG Program Regulations on Pre-Award Costs and New Housing Construction" (RIN2506-C06) (FR-4559-F-01) received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11670. A communication from the Associate General for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Home Construction and Safety Standards: Manufactured Home Tires; Amendment of HUD Interpretative Bulletin J-1-76" (FR-4559-F-01) received on November 27, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11671. A communication from the Deputy Secretary of the Division of Market Regulation, U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Options Price Reporting Authority ("OPRA") Plan for Reporting Consolidated Last Sale Reports and Quotation Information to establish a formula to allocate the message capacity of the OPRA system among the participant exchanges during peak usage periods" (RIN3235-AH92) received on November 28, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11672. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 2000-59) received on November 27, 2000; to the Committee on Finance.

EC-11673. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "First Quarter Quarterly Interest Rates 1/1/2001" (Revenue Ruling 2000-57) received on November 28, 2000; to the Committee on Finance.

EC-11674. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applications of the Anti-Churning Rules for Amortization of Intangibles in Partnerships" (RIN1545-AX73) (T.D. 8907) received on November 28, 2000; to the Committee on Finance.

EC-11675. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Rul. 2000-58—BLS-LIFO Department Store Indexes—October 2000" (Rev. Rul. 2000-58) received on November 28, 2000; to the Committee on Finance.

EC-11676. A communication from the Chief, Regulations Unit, Internal Revenue Service,

Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 2000-63, Business Plan Comments" (Notice 2000-63) received on November 29, 2000; to the Committee on Finance.

EC-11677. A communication from the Associate Administrator, Cotton Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Amendment to Cotton Board Rules and Regulations Regarding Import Assessment Exemptions" (Docket Number CN-00-009) received on November 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11678. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Exemption from Handling and Assessment Regulations for Potatoes Shipped for Experimental Shipments" (Docket Number FV00-046-1 IFR) received on November 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11679. A communication from the Associate Administrator, Dairy Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Tennessee Valley Marketing Area; Termination" (Docket Number DA-01-01) received on November 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11680. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Papayas Grown in Hawaii; Removal of Suspension Regarding Grade, Inspection, and Related Reporting Requirements" (Docket Number FV00-928-1 FR) received on November 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11681. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Animal Welfare; Perimeter Fence Requirements; Technical Amendment" (Docket #95-029-3) received on November 29, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11682. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Brucellosis in Cattle; State and Area Classifications; South Dakota" (Docket #00-103-1) received on November 29, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11683. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents" (RIN2130-AB30) received on November 16, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11684. A communication from the Acting Assistant Administrator of the National Ocean Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Federal Register Notice—Coastal Services Center Broad Area Announcement Fiscal Year 2001 Programs" received on November 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11685. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Final Rule to Implement Amendment 59 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (Sitka Pinnacles Marine Reserve)" (RIN0648-AK74) received on November 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11686. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Detroit, Howe, Jacksboro, Lewisville, Gainesville, Robinson, Corsicana and Mineral Wells, TX, and Antlers and Hugo, OK)" (MM Docket No. 97-26 and MM Docket No. 97-91) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11687. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Rantoul, Gilman, Illinois)" (MM Docket No. 98-214; RM-9353 RM-9568) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11688. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of FM Allotments, FM Broadcast Stations (New Richmond, Wisconsin, Coon Rapids and Moose Lake, Minnesota)" (MM Docket 00-37) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11689. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Susquehanna, Pennsylvania and Conklin, New York)" (MM Docket 99-278) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11690. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of the Filing Requirement for Children's Television Programming Report (FCC Form 398)—Report and Order and Further Notice of Proposed Rulemaking" (MM Docket 00-44, FCC 00-343) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11691. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Greenwood and Mauldin, South Carolina)" (MM Docket 99-313) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11692. A communication from the Senior Counsel for Dispute Resolution, Office of the Secretary of Transportation, transmitting, pursuant to law, the report of a rule entitled "Interim Statement of Policy of Alternative Dispute Resolution" (RIN2105-AC94) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11693. A communication from the Chief, Office of Regulations and Administrative

Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Licensing and Manning for Officers of Towing Vessels (USCG-1999-6224)" (RIN2115-AF23) (2000-0001) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11694. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations; SLR: Charleston Christmas Parade of Boats, Charleston Harbor, SC (CGD08-00-107)" (RIN2115-AE46) (2000-0018) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11695. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Hutchinson River, Eastchester Creek, NY (CGD01-00-243)" (RIN2115-AE47) (2000-0055) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11696. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Harlem River, Newtown Creek, NY (CGD01-00-223)" (RIN2115-AE47) (2000-0056) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11697. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Danvers River, MA (CGD01-00-239)" (RIN2115-AE47) (2000-0057) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11698. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Atlantic Intracoastal Waterway, Key Largo, Monroe County, FL (CGD08-001-05)" (RIN2115-AE47) (2000-0058) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11699. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Wrangell Narrows, Petersburg, AK (COTP Southeast Alaska 00-016)" (RIN2115-AA97) (2000-0091) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11700. A communication from the Chief, Office of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Coastal Waters Adjacent to Florida (CGD07-00-091)" (RIN2115-AA97) (2000-0092) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11701. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Hawaii-based Pelagic Longline

Area Closure; Emergency Rule" (RIN0648-AO66) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11702. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Final Rule to Reduce Observer Experience Requirements in the Western Alaska Community Development Quota Fisheries" (RIN0648-AM53) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11703. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Closure for the Catcher/Processor Sector" received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11704. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of the Directed Fishery for Pacific Mackerel" received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11705. A communication from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "The Development of Operational Technical and Spectrum Requirements For Meeting Federal, State and Local Public Safety Agency Commission Requirements Through the Year 2010; Establishment of Rules and Requirements for Priority Access Service" (WT Docket 96-86, FCC 00-348) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11706. A communication from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "First Report and Order and Further Notice of Proposed Rulemaking in WT Docket No. 99-217, Fifth Report and Order and Memorandum Opinion and Order in CC Docket No. 96-98, and fourth Report and Order and Memorandum Opinion and Order in CC Docket No. 88-57" (FCC 00-366, WT Docket No. 99-217) received on November 27, 2000; to the Committee on Commerce, Science, and Transportation.

EC-11707. A communication from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Risk Management"; to the Committee on Commerce, Science, and Transportation.

EC-11708. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period April 1, 2000 through September 30, 2000; ordered to lie on the table.

EC-11709. A communication from the Administrator of the Small Business Administration, transmitting, a draft of proposed legislation entitled "8(a) Sole Source Authority"; to the Committee on Small Business.

EC-11710. A communication from the Regulations Officer of the Federal Highway Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Utilities" (RIN2125-AE68) received on November 30, 2000; to the Committee on Environment and Public Works.

EC-11711. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Business Ownership Representation" (FRL #6912-2) received on November 30, 2000; to the Committee on Environment and Public Works.

EC-11712. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, the Brownsfields Project Planning Guidance; Volume 1: Brownsfields Assessment Overview and Volume 2: Generic Brownsfields QAPP Boilerplate; to the Committee on Environment and Public Works.

EC-11713. A communication from the Assistant Secretary for Economic Development, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Economic Development Administration Reform Act of 1998 including Economic Adjustment Grants-Revolving Loan Funds" (RIN0610-AA62) received December 1, 2000; to the Committee on Environment and Public Works.

EC-11714. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Ventura County Air Pollution District" (FRL #6875-8) received on December 1, 2000; to the Committee on Environment and Public Works.

EC-11715. A communication from the Fisheries Biologist, Candidate Plus Team Leader, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Final Endangered Status for a Distinct Population Segment of Anadromous Atlantic Salmon (*Salmo salar*) in the Gulf of Maine" (RIN0648-XA39) received on December 1, 2000; to the Committee on Environment and Public Works.

EC-11716. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Control of Emissions of Volatile Organic Compounds from Batch Processes, Industrial Wastewater and Service Stations" (FRL #6913-4) received on December 4, 2000; to the Committee on Environment and Public Works.

EC-11717. A communication from the Director of the Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: TN-32 Revision" (RIN3150-AG66) received on December 4, 2000; to the Committee on Environment and Public Works.

EC-11718. A communication from the Director of the Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Uniform Compliance Date for Food Labeling Regulations" (Docket No. 00N-1596) received on December 1, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11719. A communication from the Administrator of the Office of Workforce Security, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Unemployment Insurance Program Letter 04-01—Payment of Compensation and Timeliness of Determinations During a Continued

Claim Series" received on December 1, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-11720. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report for the fiscal year 1996 projects; to the Committee on Health, Education, Labor, and Pensions.

EC-11721. A communication from the Associate Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida and Imported Grapefruit; Relaxation of the Mini Size Requirements for Red Seedless Grapefruit" (Docket Number: FV00-905-2 FR) received on November 14, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11722. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Peroxyacetic Acid; Exemption From the Requirement of a Tolerance" (FRL #6748-6) received on November 30, 2000; to the Committee on Environment and Public Works.

EC-11723. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hydrogen Peroxide; Exemption from the Requirement of a Tolerance" (FRL #6748-5) received on November 30, 2000; to the Committee on Environment and Public Works.

EC-11724. A communication from the Administrator and Executive Vice President, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Final Rule—2000 Marketing Quota and Price Support for Burley Tobacco" (RIN0560-AF85) received on December 4, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11725. A communication from the Associate Administrator of the Livestock and Seed Program, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Livestock Mandatory Reporting" (RIN0581-AB64) received on the December 4, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-11726. A communication from the Acting Deputy Executive Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Prospective Payment System for Hospital Outpatient Services" (RIN0938-A156) received on November 2, 2000; to the Committee on Finance.

EC-11727. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2000 Base Period T-Bill Rate" (RR-118248-00) received on November 27, 2000; to the Committee on Finance.

EC-11728. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Return Information to the Bureau of the Census (TD 8908)" (RIN1545-AV84) received on November 30, 2000; to the Committee on Finance.

EC-11729. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Market Segment Specialization Program Audit Techniques Guide—Auto Dealerships" received on November 30, 2000; to the Committee on Finance.

EC-11730. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting,

pursuant to law, the report of a rule entitled "Balance Due and Refund Anticipation Loans Under Subsection 7216" (Notice 2000-64) received on November 30, 2000; to the Committee on Finance.

EC-11731. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the second annual report; to the Committee on Finance.

EC-11732. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Proc. 2000-48 Year 2001 Standard Mileage Rates" (Rev. Proc. 2000-48) received on December 4, 2000; to the Committee on Finance.

EC-11733. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Industry Issue Resolution Pilot Program" (Notice 2000-65, 2000-52 I.R.B.) received on December 4, 2000; to the Committee on Finance.

EC-11734. A communication from the Chair of the Medicare Payment Advisory Commission, transmitting, pursuant to law, a report relative to improving risk adjustment in Medicare; to the Committee on Finance.

EC-11735. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report involving exports to the Kingdom of Thailand; to the Committee on Banking, Housing, and Urban Affairs.

EC-11736. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a report involving exports India; to the Committee on Banking, Housing, and Urban Affairs.

EC-11737. A communication from the Legislative and Regulatory Division, Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled "Assessment of Fees; National Banks; District of Columbia Banks" (RIN1557-AB72) received on December 1, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-11738. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to the Inspector General Act, the semiannual report; to the Committee on Governmental Affairs.

EC-11739. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to the Inspector General Act, the semiannual report; to the Committee on Governmental Affairs.

EC-11740. A communication from the Chairman of the Occupational Safety and Health Review Commission, transmitting, pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, the report covering fiscal year 2000 activities; to the Committee on Governmental Affairs.

EC-11741. A communication from the Assistant Secretary (Legislative Affairs), Department of State, transmitting, pursuant to law, the report of a rule relative to postponing the effective date for assessing a \$50.00 fee for the Affidavit of Support, Form I-864; to the Committee on Foreign Relations.

EC-11742. A communication from the Assistant Secretary (Legislative Affairs), Department of State, transmitting, pursuant to law, the report of a rule relative to incorporating in visa regulations a complementary rule to a recent amendment of the Schedule of Fees; to the Committee on Foreign Relations.

EC-11743. A communication from the Assistant Secretary (Legislative Affairs), De-

partment of State, transmitting, pursuant to law, the report of a rule relative to establishing a new effective date for the phase-in of a new procedure for payment of certain immigrant visa fees; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and referred or ordered to lie on the table as indicated:

POM-640. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to timber harvesting; to the Committee on Agriculture, Nutrition, and Forestry.

POM-641. A concurrent resolution adopted by the House of the Legislature of the State of South Carolina relative to taxes; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

Whereas, separation of powers is fundamental to the United States Constitution and the power of the federal government is strictly limited; and

Whereas, under the United States Constitution, the states are to determine public policy; and

Whereas, it is the duty of the judiciary to interpret the law, not to create law; and

Whereas, our present federal government has strayed from the intent of our founding fathers and the United States Constitution through inappropriate federal mandates; and

Whereas, these mandates by way of statute, rule, or judicial decision have forced state governments to serve as the mere administrative arm of the federal government; and

Whereas, federal district courts, with the acquiescence of the United States Supreme Court, continue to order states to levy or increase taxes to comply with federal mandates, in violation of the United States Constitution and the legislative process; and

Whereas, the time has come for the people of this nation and their elected representatives in state government to reaffirm that the authority to tax under the Constitution of the United States is retained by the people who, by their consent alone, do delegate such power to tax explicitly to those elected representatives in the legislative branch of government whom they choose, and that the representatives are directly responsible and accountable to those who have elected them; and

Whereas, several states have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America which was previously introduced in Congress; and

Whereas, the amendment seeks to prevent federal courts from levying or increasing taxes without representation of the people and against the people's wishes; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring; That the Congress of the United States is hereby memorialized to amend the Constitution of the United States and submit to the states for ratification an amendment which adds a new article providing as follows: "Neither to instruct or order a state or political subdivision thereof, or an official of such a state or political subdivision, to levy or increase taxes." Be it further

Resolved that a copy of this resolution be forwarded to the United States Senate, the United States House of Representatives, and to each member of the South Carolina Congressional Delegation.

NOMINATIONS DISCHARGED

Pursuant to a unanimous consent agreement of December 5, 2000, the following nominations were discharged from the Committee on Foreign Relations.

DEPARTMENT OF STATE

Larry Carp, of Missouri, to be an Alternative Representative of the United States of America to the Fifty-fifth Session of the General Assembly of the United Nations.

Jay T. Snyder, of New York, to be a Representative of the United States of America to the Fifty-fifth Session of the General Assembly of the United Nations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID:

S. 3272. A bill to establish the Great Basin National Heritage Area, Nevada and Utah; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mr. BROWNBACK, Mr. KENNEDY, Mr. CLELAND, Mr. KERRY, Mr. JOHNSON, and Mr. LEAHY):

S. 3273. A bill to require the Federal Election Commission to study voting procedures in Federal elections, award Voting Improvement Grants to States, and for other purposes; to the Committee on Rules and Administration.

By Mr. ALLARD (for himself, Mr. GRAMM, Mr. SARBANES, Mr. KERRY, Mr. SHELBY, Mr. SANTORUM, Mr. GRAMS, Mr. CAMPBELL, and Mr. INOUE):

S. 3274. A bill to expand homeownership in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for himself, Mr. BROWNBACK, Mr. KENNEDY, Mr. CLELAND, Mr. KERRY, Mr. JOHNSON, and Mr. LEAHY):

S. 3273. A bill to require the Federal Election Commission to study voting procedures in Federal elections, award Voting Improvement Grants to States, and for other purposes; to the Committee on Rules and Administration.

VOTING STUDY AND IMPROVEMENT ACT

Mr. BROWNBACK. Mr. President, in the era of the Internet, in the era of the microchip, at the dawn of the twenty-first century, I am concerned that the most prosperous, productive and inventive nation in the world conducts its elections for its highest offices in some areas in ways that are outdated, slow, inaccurate, and inaccessible to many.

That is why, Mr. President, I rise as an original sponsor of the "Voting Study and Improvement Act," which I am proud to introduce today with my colleague CHUCK SCHUMER of New York.

The long national nightmare that the 2000 Presidential election has become has taught us, Republican and Democrat alike, that we need to improve the

instruments of voting and the means of electing our federal office holders.

Both rural and urban areas have unique difficulties not only with accessibility to voting, but also in funding improvements in their voting systems. A rural State like Kansas has problems with voting that are different than those faced by a State such as New York. Our legislation recognizes these differences, and will allow each State to implement the changes they believe are best for them. What is the best system for voting in Kansas may not be the best system for voting in New York. What is the best system for voting in some parts of Kansas may not be the best system for voting in another part of Kansas.

That is why CHUCK SCHUMER and I can agree to sponsor this legislation together today, and that is why we agree that something must be done. I am pleased to rise with CHUCK SCHUMER today to introduce the Voting Study and Improvement Act.

This is the first bipartisan attempt to provide grant money to States to implement alternate means and instruments of voting that provide swifter and more accurate results, and are less susceptible to partisan interference and differences of opinion.

Let me be clear: unlike some legislation that has been introduced in this regard, this is not a federal mandate of election standards. We provide the means to States to implement the changes that they deem are most fitting for their unique needs.

In addition, unlike some other legislation that is being proposed in this area, we do not create a new federal agency or bureaucracy. We use the existing expertise and personnel of the Federal Election Commission to study possible improvements to our current voting system, and make recommendations for changes.

Given the magnitude of controversy surrounding the 2000 Presidential election, it is tempting to create a new agency with new powers to solve these problems. Given these problems, it is also tempting to create a federalized system of voting for federal elections. However, Senator CHUCK SCHUMER and I believe these decisions are best left to the individual States to decide. States are as different as my home State of Kansas is from CHUCK's home State of New York, and they are the ones who can best decide how to improve their own voting systems.

I encourage my colleagues to join Senator SCHUMER and myself in supporting this common-sense, bipartisan legislation, and help bring our nation's elections into the twenty-first century.

By Mr. ALLARD (for himself, Mr. GRAMM, Mr. SARBANES, Mr. KERRY, Mr. SHELBY, Mr. SANTORUM, Mr. GRAMS, Mr. CAMPBELL, and Mr. INOUE):

S. 3274. A bill to expand homeownership in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

Mr. ALLARD. Mr. President, today I am introducing the Senate version of the American Homeownership and Economic Opportunity Act of 2000, which is now at the desk. It is S. 3274.

I am pleased that this legislation is cosponsored by both the chairman and ranking member of the Banking Committee, Senators PHIL GRAMM and PAUL SARBANES, as well as the ranking member of the Housing subcommittee, Senator JOHN KERRY.

This legislation reflects a bipartisan and bicameral agreement on the housing legislation that should be enacted before the close of this Congress. Also joining as cosponsors are Senators RICHARD SHELBY, RICK SANTORUM, ROD GRAMS, BEN NIGHTHORSE CAMPBELL, and DANIEL INOUE.

This legislation is the product of negotiations that have taken place between the House and Senate over the past several months. It has been introduced in the House of Representatives today, and if all goes well, it will be approved by both Houses and delivered to the President within the next several days.

In addition to housing provisions, this legislation also includes a number of regulatory relief provisions, banking and housing reporting requirements, and several items related to the Federal Reserve. An explanation of each provision is included in the section-by-section that follows my comments.

This legislation includes important home ownership, rural housing, elderly housing, disabled housing, and housing affordability barrier removal provisions. This bill also includes the Manufactured Housing Improvement Act championed by Senator SHELBY, provisions dealing with Native American housing sponsored by my Colorado colleague, Senator BEN NIGHTHORSE CAMPBELL, and Native Hawaiian provisions sponsored by Senator DANIEL INOUE.

This legislation also includes the Private Mortgage Insurance Technical Corrections and Clarification Act which clarifies a number of provisions enacted by the 105th Congress to address the issue of private mortgage insurance cancellation and termination.

Nearly 2 years ago, I became chairman of the Banking Committee's Subcommittee on Housing and Transportation. My priority during this time has been congressional oversight of the Department of Housing and Urban Development. During the 106th Congress, our subcommittee held 19 hearings. Twelve of these hearings dealt specifically with HUD oversight. I have also made a point to develop a legislative agenda that focuses on innovative approaches to increase the supply of affordable housing.

Our subcommittee held a number of hearings to review legislative proposals on affordable housing, manufactured housing, homelessness, elderly and disabled housing, and the Federal Housing Administration mortgage insurance program.

While we have not been able to do everything we would like in the 106th Congress, I am pleased that this legislative package I am introducing today reflects significant progress on a number of housing initiatives.

On July 26, 2000, I introduced the Local Housing Opportunities Act, S. 2968, which reflects a long-term approach to empower communities and individuals by consolidating and reforming HUD programs.

While there is much that remains to be done on this legislation, I am pleased that a number of the provisions included in S. 2968 have been enacted or are included in today's introduced legislation.

An extension of the simplified FHA downpayment calculation was included in the fiscal year 2001 VA-HUD appropriations bill, and today's legislation permits Section 8 funds to be used for home ownership downpayment assistance. It allows for the use of Section 8 assistance in grandfamily housing assistance with HOME funds, provides assistance for self-help housing providers, and includes several improvements in the rural housing programs at the Department of Agriculture.

I also note that tax legislation is currently pending that includes significant increases in the caps of both the low-income housing tax credit and private activity bond programs. If we do not get this legislation enacted this year, I will continue to work hard with my colleagues to get this done in the 107th Congress.

Early in this session of Congress, the Subcommittee on Housing and Transportation set out to modernize the standards for manufactured housing. On October 5, 1999, the subcommittee held a comprehensive hearing on the proposed manufactured housing legislation. This legislation worked its way through the Senate in 1999 under the leadership of Senator SHELBY. The House included similar legislation in a broader housing bill, and we have now reached agreement between the two Chambers on the compromise legislation.

This is a tremendous achievement that will contribute significantly to an increase in the amount of affordable housing in our communities. I know from my work in Colorado that this will have a positive impact on the affordable housing shortage in my State.

Today's legislation includes several provisions to encourage the removal of regulatory barriers to affordable housing. While this is largely a State and local issue, there are steps that can be taken at the Federal level to help ensure that government at all levels does not put excessive fees, permits, and regulations in place that drive up the cost of housing. In many cases these barriers move housing beyond the means of working families. I know this is an important issue for homebuilders in Colorado and throughout the Nation.

As chairman, I will continue to work with local government and housing advocacy organizations during the 107th Congress to discourage and remove regulatory barriers to affordable housing.

It has been my pleasure to work with Senator RICK SANTORUM on a number of important provisions to improve the Section 202 and Section 811 programs. Today's legislation reflects a compromise we have negotiated on proposals designed to expand housing opportunities for the elderly and persons with disabilities. These provisions reauthorize both programs through fiscal year 2003, permit the refinancing of program loans, permit for-profit limited partnerships, mixed funding sources, and certain commercial activities designed to increase the viability of elderly and disabled housing programs. The legislation also authorizes service coordinators and congregate services for elderly and disabled housing.

Mr. President, I ask unanimous consent that a section-by-section description of the bill, along with the full text of the bill, be printed in the RECORD. And I thank all my colleagues who have helped to put this legislative package together.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 3274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "American Homeownership and Economic Opportunity Act of 2000".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—REMOVAL OF BARRIERS TO HOUSING AFFORDABILITY

Sec. 101. Short title.
Sec. 102. Grants for regulatory barrier removal strategies.

Sec. 103. Regulatory barriers clearinghouse.

TITLE II—HOMEOWNERSHIP FOR WORKING FAMILIES

Sec. 201. Home equity conversion mortgages.
Sec. 202. Assistance for self-help housing providers.

TITLE III—SECTION 8 HOMEOWNERSHIP OPTION

Sec. 301. Downpayment assistance.
Sec. 302. Pilot program for homeownership assistance for disabled families.
Sec. 303. Funding for pilot programs.

TITLE IV—PRIVATE MORTGAGE INSURANCE CANCELLATION AND TERMINATION

Sec. 401. Short title.
Sec. 402. Changes in amortization schedule.
Sec. 403. Deletion of ambiguous references to residential mortgages.
Sec. 404. Cancellation rights after cancellation date.
Sec. 405. Clarification of cancellation and termination issues and lender paid mortgage insurance disclosure requirements.

TITLE V—NATIVE AMERICAN HOMEOWNERSHIP

Subtitle A—Native American Housing

Sec. 501. Lands title report commission.

Sec. 502. Loan guarantees.

Sec. 503. Native American housing assistance.

Subtitle B—Native Hawaiian Housing

Sec. 511. Short title.
Sec. 512. Findings.
Sec. 513. Housing assistance.
Sec. 514. Loan guarantees.

TITLE VI—MANUFACTURED HOUSING IMPROVEMENT

Sec. 601. Short title; references.
Sec. 602. Findings and purposes.
Sec. 603. Definitions.
Sec. 604. Federal manufactured home construction and safety standards.
Sec. 605. Abolishment of National Manufactured Home Advisory Council; manufactured home installation.
Sec. 606. Public information.
Sec. 607. Research, testing, development, and training.
Sec. 608. Prohibited acts.
Sec. 609. Fees.
Sec. 610. Dispute resolution.
Sec. 611. Elimination of annual reporting requirement.
Sec. 612. Effective date.
Sec. 613. Savings provisions.

TITLE VII—RURAL HOUSING HOMEOWNERSHIP

Sec. 701. Guarantees for refinancing of rural housing loans.
Sec. 702. Promissory note requirement under housing repair loan program.
Sec. 703. Limited partnership eligibility for farm labor housing loans.
Sec. 704. Project accounting records and practices.
Sec. 705. Definition of rural area.
Sec. 706. Operating assistance for migrant farmworkers projects.
Sec. 707. Multifamily rental housing loan guarantee program.
Sec. 708. Enforcement provisions.
Sec. 709. Amendments to title 18 of United States Code.

TITLE VIII—HOUSING FOR ELDERLY AND DISABLED FAMILIES

Sec. 801. Short title.
Sec. 802. Regulations.
Sec. 803. Effective date.

Subtitle A—Refinancing for Section 202 Supportive Housing for the Elderly

Sec. 811. Prepayment and refinancing.

Subtitle B—Authorization of Appropriations for Supportive Housing for the Elderly and Persons With Disabilities

Sec. 821. Supportive housing for elderly persons.
Sec. 822. Supportive housing for persons with disabilities.
Sec. 823. Service coordinators and congregate services for elderly and disabled housing.

Subtitle C—Expanding Housing Opportunities for the Elderly and Persons With Disabilities

PART 1—HOUSING FOR THE ELDERLY

Sec. 831. Eligibility of for-profit limited partnerships.
Sec. 832. Mixed funding sources.
Sec. 833. Authority to acquire structures.
Sec. 834. Use of project reserves.
Sec. 835. Commercial activities.

PART 2—HOUSING FOR PERSONS WITH DISABILITIES

Sec. 841. Eligibility of for-profit limited partnerships.
Sec. 842. Mixed funding sources.
Sec. 843. Tenant-based assistance.
Sec. 844. Use of project reserves.
Sec. 845. Commercial activities.

PART 3—OTHER PROVISIONS

Sec. 851. Service coordinators.

Subtitle D—Preservation of Affordable Housing Stock

Sec. 861. Section 236 assistance.

TITLE IX—OTHER RELATED HOUSING PROVISIONS

Sec. 901. Extension of loan term for manufactured home lots.
Sec. 902. Use of section 8 vouchers for opt-outs.
Sec. 903. Maximum payment standard for enhanced vouchers.
Sec. 904. Use of section 8 assistance by "grand-families" to rent dwelling units in assisted projects.

TITLE X—FEDERAL RESERVE BOARD PROVISIONS

Sec. 1001. Federal Reserve Board buildings.
Sec. 1002. Positions of Board of Governors of the Federal Reserve System on the Executive schedule.
Sec. 1003. Amendments to the Federal Reserve Act.

TITLE XI—BANKING AND HOUSING AGENCY REPORTS

Sec. 1101. Short title.
Sec. 1102. Preservation of certain reporting requirements.
Sec. 1103. Coordination of reporting requirements.
Sec. 1104. Elimination of certain reporting requirements.

TITLE XII—FINANCIAL REGULATORY RELIEF

Sec. 1200. Short title.
Subtitle A—Improving Monetary Policy and Financial Institution Management Practices
Sec. 1201. Repeal of savings association liquidity provision.
Sec. 1202. Noncontrolling investments by savings association holding companies.
Sec. 1203. Repeal of deposit broker notification and recordkeeping requirement.
Sec. 1204. Expedited procedures for certain reorganizations.
Sec. 1205. National bank directors.
Sec. 1206. Amendment to National Bank Consolidation and Merger Act.
Sec. 1207. Loans on or purchases by institutions of their own stock; affiliations.
Sec. 1208. Purchased mortgage servicing rights.

Subtitle B—Streamlining Activities of Institutions

Sec. 1211. Call report simplification.
Subtitle C—Streamlining Agency Actions
Sec. 1221. Elimination of duplicative disclosure of fair market value of assets and liabilities.
Sec. 1222. Payment of interest in receiverships with surplus funds.
Sec. 1223. Repeal of reporting requirement on differences in accounting standards.
Sec. 1224. Extension of time.

Subtitle D—Technical Corrections

Sec. 1231. Technical correction relating to deposit insurance funds.
Sec. 1232. Rules for continuation of deposit insurance for member banks converting charters.
Sec. 1233. Amendments to the Revised Statutes of the United States.
Sec. 1234. Conforming change to the International Banking Act of 1978.

TITLE I—REMOVAL OF BARRIERS TO HOUSING AFFORDABILITY

SEC. 101. SHORT TITLE.

This title may be cited as the "Housing Affordability Barrier Removal Act of 2000".

SEC. 102. GRANTS FOR REGULATORY BARRIER REMOVAL STRATEGIES.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Subsection (a) of section 1204 of the Housing and Community Development Act of 1992 (42 U.S.C. 12705c(a)) is amended to read as follows:

“(a) **FUNDING.**—There is authorized to be appropriated for grants under subsections (b) and (c) such sums as may be necessary for each of fiscal years 2001, 2002, 2003, 2004, and 2005.”

(b) **CONSOLIDATION OF STATE AND LOCAL GRANTS.**—Subsection (b) of section 1204 of the Housing and Community Development Act of 1992 (42 U.S.C. 12705c(b)) is amended—

(1) in the subsection heading, by striking “STATE GRANTS” and inserting “GRANT AUTHORITY”;

(2) in the matter preceding paragraph (1), by inserting after “States” the following: “and units of general local government (including consortia of such governments)”;

(3) in paragraph (3), by striking “a State program to reduce State and local” and inserting “State, local, or regional programs to reduce”;

(4) in paragraph (4), by inserting “or local” after “State”; and

(5) in paragraph (5), by striking “State”.

(c) **REPEAL OF LOCAL GRANTS PROVISION.**—Section 1204 of the Housing and Community Development Act of 1992 (42 U.S.C. 12705c) is amended by striking subsection (c).

(d) **APPLICATION AND SELECTION.**—The last sentence of section 1204(e) of the Housing and Community Development Act of 1992 (42 U.S.C. 12705c(e)) is amended—

(1) by striking “and for the selection of units of general local government to receive grants under subsection (f)(2)”;

(2) by inserting before the period at the end the following: “and such criteria shall require that grant amounts be used in a manner consistent with the strategy contained in the comprehensive housing affordability strategy for the jurisdiction pursuant to section 105(b)(4) of the Cranston-Gonzalez National Affordable Housing Act”.

(e) **SELECTION OF GRANTEEES.**—Subsection (f) of section 1204 of the Housing and Community Development Act of 1992 (42 U.S.C. 12705c(f)) is amended to read as follows:

“(f) **SELECTION OF GRANTEEES.**—To the extent amounts are made available to carry out this section, the Secretary shall provide grants on a competitive basis to eligible grantees based on the proposed uses of such amounts, as provided in applications under subsection (e).”

(f) **TECHNICAL AMENDMENTS.**—Section 107(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5307(a)(1)) is amended—

(1) in subparagraph (G), by inserting “and” after the semicolon at the end;

(2) by striking subparagraph (H); and

(3) by redesignating subparagraph (I) as subparagraph (H).

SEC. 103. REGULATORY BARRIERS CLEARINGHOUSE.

Section 1205 of the Housing and Community Development Act of 1992 (42 U.S.C. 12705d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “receive, collect, process, and assemble” and inserting “serve as a national repository to receive, collect, process, assemble, and disseminate”;

(B) in paragraph (1)—

(i) by striking “, including” and inserting “(including)”;

(ii) by inserting before the semicolon at the end the following: “, and the prevalence and effects on affordable housing of such laws, regulations, and policies”;

(C) in paragraph (2), by inserting before the semicolon the following: “, including par-

ticularly innovative or successful activities, strategies, and plans”;

(D) in paragraph (3), by inserting before the period at the end the following: “, including particularly innovative or successful strategies, activities, and plans”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(3) by making available through a World Wide Web site of the Department, by electronic mail, or otherwise, provide to each housing agency of a unit of general local government that serves an area having a population greater than 100,000, an index of all State and local strategies and plans submitted under subsection (a) to the clearinghouse, which—

“(A) shall describe the types of barriers to affordable housing that the strategy or plan was designed to ameliorate or remove; and

“(B) shall, not later than 30 days after submission to the clearinghouse of any new strategy or plan, be updated to include the new strategy or plan submitted.”; and

(3) by adding at the end the following new subsections:

“(c) **ORGANIZATION.**—The clearinghouse under this section shall be established within the Office of Policy Development of the Department of Housing and Urban Development and shall be under the direction of the Assistant Secretary for Policy Development and Research.

“(d) **TIMING.**—The clearinghouse under this section (as amended by section 103 of the Housing Affordability Barrier Removal Act of 2000) shall be established and commence carrying out the functions of the clearinghouse under this section not later than 1 year after the date of the enactment of such Act. The Secretary of Housing and Urban Development may comply with the requirements under this section by reestablishing the clearinghouse that was originally established to comply with this section and updating and improving such clearinghouse to the extent necessary to comply with the requirements of this section as in effect pursuant to the enactment of such Act.”

TITLE II—HOMEOWNERSHIP FOR WORKING FAMILIES**SEC. 201. HOME EQUITY CONVERSION MORTGAGES.**

(a) **INSURANCE FOR MORTGAGES TO REFINANCE EXISTING HECMS.**—

(1) **IN GENERAL.**—Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended—

(A) by redesignating subsection (k) as subsection (m); and

(B) by inserting after subsection (j) the following new subsection:

“(k) **INSURANCE AUTHORITY FOR REFINANCINGS.**—

“(1) **IN GENERAL.**—The Secretary may, upon application by a mortgagee, insure under this subsection any mortgage given to refinance an existing home equity conversion mortgage insured under this section.

“(2) **ANTI-CHURNING DISCLOSURE.**—The Secretary shall, by regulation, require that the mortgagee of a mortgage insured under this subsection, provide to the mortgagor, within an appropriate time period and in a manner established in such regulations, a good faith estimate of: (A) the total cost of the refinancing; and (B) the increase in the mortgagor’s principal limit as measured by the estimated initial principal limit on the mortgage to be insured under this subsection less the current principal limit on the home equity conversion mortgage that is being refinanced and insured under this subsection.

“(3) **WAIVER OF COUNSELING REQUIREMENT.**—The mortgagor under a mortgage insured under this subsection may waive the applicability, with respect to such mortgage, of the requirements under subsection (d)(2)(B) (relating to third party counseling), but only if—

“(A) the mortgagor has received the disclosure required under paragraph (2);

“(B) the increase in the principal limit described in paragraph (2) exceeds the amount of the total cost of refinancing (as described in such paragraph) by an amount to be determined by the Secretary; and

“(C) the time between the closing of the original home equity conversion mortgage that is refinanced through the mortgage insured under this subsection and the application for a refinancing mortgage insured under this subsection does not exceed 5 years.

“(4) **CREDIT FOR PREMIUMS PAID.**—Notwithstanding section 203(c)(2)(A), the Secretary may reduce the amount of the single premium payment otherwise collected under such section at the time of the insurance of a mortgage refinanced and insured under this subsection. The amount of the single premium for mortgages refinanced under this subsection shall be determined by the Secretary based on the actuarial study required under paragraph (5).

“(5) **ACTUARIAL STUDY.**—Not later than 180 days after the date of the enactment of the American Homeownership and Economic Opportunity Act of 2000, the Secretary shall conduct an actuarial analysis to determine the adequacy of the insurance premiums collected under the program under this subsection with respect to—

“(A) a reduction in the single premium payment collected at the time of the insurance of a mortgage refinanced and insured under this subsection;

“(B) the establishment of a single national limit on the benefits of insurance under subsection (g) (relating to limitation on insurance authority); and

“(C) the combined effect of reduced insurance premiums and a single national limitation on insurance authority.

“(6) **FEES.**—The Secretary may establish a limit on the origination fee that may be charged to a mortgagor under a mortgage insured under this subsection, except that such limitation shall provide that the origination fee may be fully financed with the mortgage and shall include any fees paid to correspondent mortgagees approved by the Secretary.”

(2) **REGULATIONS.**—The Secretary shall issue any final regulations necessary to implement the amendments made by paragraph (1) of this subsection, which shall take effect not later than the expiration of the 180-day period beginning on the date of the enactment of this Act. The regulations shall be issued after notice and opportunity for public comment in accordance with the procedure under section 553 of title 5, United States Code, applicable to substantive rules (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section).

(b) **HOUSING COOPERATIVES.**—Section 255(b) of the National Housing Act (12 U.S.C. 1715z-20(b)) is amended—

(1) in paragraph (2), by striking “‘mortgage’”; and

(2) by adding at the end the following new paragraphs:

“(4) **MORTGAGE.**—The term ‘mortgage’ means a first mortgage or first lien on real estate, in fee simple, on all stock allocated to a dwelling in a residential cooperative housing corporation, or on a leasehold—

“(A) under a lease for not less than 99 years that is renewable; or

“(B) under a lease having a period of not less than 10 years to run beyond the maturity date of the mortgage.

“(5) **FIRST MORTGAGE.**—The term ‘first mortgage’ means such classes of first liens as are commonly given to secure advances on, or the unpaid purchase price of, real estate or all stock allocated to a dwelling unit in a residential cooperative housing corporation, under the laws of the State in which the real estate or dwelling unit is located, together with the credit instruments, if any, secured thereby.”.

(c) **WAIVER OF UP-FRONT PREMIUMS FOR MORTGAGES USED TO FUND LONG-TERM CARE INSURANCE.**—

(1) **IN GENERAL.**—Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended by inserting after subsection (k) (as added by subsection (a) of this section) the following new subsection:

“(l) **WAIVER OF UP-FRONT PREMIUMS FOR MORTGAGES TO FUND LONG-TERM CARE INSURANCE.**—

“(1) **IN GENERAL.**—In the case of any mortgage insured under this section under which the total amount (except as provided in paragraph (2)) of all future payments described in subsection (b)(3) will be used only for costs of a qualified long-term care insurance contract that covers the mortgagor or members of the household residing in the property that is subject to the mortgage, notwithstanding section 203(c)(2), the Secretary shall not charge or collect the single premium payment otherwise required under subparagraph (A) of such section to be paid at the time of insurance.

“(2) **AUTHORITY TO REFINANCE EXISTING MORTGAGE AND FINANCE CLOSING COSTS.**—A mortgage described in paragraph (1) may provide financing of amounts that are used to satisfy outstanding mortgage obligations (in accordance with such limitations as the Secretary shall prescribe) and any amounts used for initial service charges, appraisal, inspection, and other fees (as approved by the Secretary) in connection with such mortgage, and the amount of future payments described in subsection (b)(3) under the mortgage shall be reduced accordingly.

“(3) **DEFINITION.**—For purposes of this subsection, the term ‘qualified long-term care insurance contract’ has the meaning given such term in section 7702B of the Internal Revenue Code of 1986 (26 U.S.C. 7702B)), except that such contract shall also meet the requirements of—

“(A) sections 9 (relating to disclosure), 24 (relating to suitability), and 26 (relating to contingent nonforfeiture) of the long-term care insurance model regulation promulgated by the National Association of Insurance Commissioners (as adopted as of September 2000); and

“(B) section 8 (relating to contingent nonforfeiture) of the long-term care insurance model Act promulgated by the National Association of Insurance Commissioners (as adopted as of September 2000).”.

(2) **APPLICABILITY.**—The provisions of section 255(l) of the National Housing Act (as added by paragraph (1) of this subsection) shall apply only to mortgages closed on or after April 1, 2001.

(d) **STUDY OF SINGLE NATIONAL MORTGAGE LIMIT.**—The Secretary of Housing and Urban Development shall conduct an actuarially based study of the effects of establishing, for mortgages insured under section 255 of the National Housing Act (12 U.S.C. 1715z-20), a single maximum mortgage amount limitation in lieu of applicability of section 203(b)(2) of such Act (12 U.S.C. 1709(b)(2)). The study shall—

(1) examine the effects of establishing such limitation at different dollar amounts; and

(2) examine the effects of such various limitations on—

(A) the risks to the General Insurance Fund established under section 519 of such Act;

(B) the mortgage insurance premiums that would be required to be charged to mortgagors to ensure actuarial soundness of such Fund; and

(C) take into consideration the various approaches to providing credit to borrowers who refinance home equity conversion mortgages insured under section 255 of such Act. Not later than 180 days after the date of the enactment of this Act, the Secretary shall complete the study under this subsection and submit a report describing the study and the results of the study to the Committee on Banking and Financial Services of the House of Representatives and to the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 202. ASSISTANCE FOR SELF-HELP HOUSING PROVIDERS.

(a) **REAUTHORIZATION.**—Subsection (p) of section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended to read as follows:

“(p) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2001.”.

(b) **ELIGIBLE EXPENSES.**—Section 11(d)(2)(A) of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended by inserting before the period at the end the following: “, which may include reimbursing an organization, consortium, or affiliate, upon approval of any required environmental review, for nongrant amounts of the organization, consortium, or affiliate advanced before such review to acquire land”.

(c) **DEADLINE FOR RECAPTURE OF FUNDS.**—Section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended—

(1) in subsection (i)(5)—

(A) by striking “if the organization or consortia has not used any grant amounts” and inserting “the Secretary shall recapture any grant amounts provided to the organization or consortia that are not used”; and

(B) by striking “(or,” and inserting “, except that such period shall be 36 months”; and

(C) by striking “within 36 months), the Secretary shall recapture such unused amounts” and inserting “and in the case of a grant amounts provided to a local affiliate of the organization or consortia that is developing five or more dwellings in connection with such grant amounts”; and

(2) in subsection (j), by inserting after “carry out this section” the following: “and grant amounts provided to a local affiliate of the organization or consortia that is developing five or more dwellings in connection with such grant amounts”.

(d) **TECHNICAL CORRECTIONS.**—Section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended—

(1) in subsection (b)(4), by striking “Habitat for Humanity International, its affiliates, and other”; and

(2) in subsection (e)(2), by striking “consoria” and inserting “consortia”.

TITLE III—SECTION 8 HOMEOWNERSHIP OPTION

SEC. 301. DOWNPAYMENT ASSISTANCE.

(a) **AMENDMENTS.**—Section 8(y) of the United States Housing Act of 1937 (42 U.S.C. 1437f(y)) is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph:

“(7) **DOWNPAYMENT ASSISTANCE.**—

“(A) **AUTHORITY.**—A public housing agency may, in lieu of providing monthly assistance payments under this subsection on behalf of a family eligible for such assistance and at the discretion of the public housing agency, provide assistance for the family in the form of a single grant to be used only as a contribution toward the downpayment required in connection with the purchase of a dwelling for fiscal year 2000 and each fiscal year thereafter to the extent provided in advance in appropriations Acts.

“(B) **AMOUNT.**—The amount of a downpayment grant on behalf of an assisted family may not exceed the amount that is equal to the sum of the assistance payments that would be made during the first year of assistance on behalf of the family, based upon the income of the family at the time the grant is to be made.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect immediately after the amendments made by section 555(c) of the Quality Housing and Work Responsibility Act of 1998 take effect pursuant to such section.

SEC. 302. PILOT PROGRAM FOR HOMEOWNERSHIP ASSISTANCE FOR DISABLED FAMILIES.

(a) **IN GENERAL.**—A public housing agency providing tenant-based assistance on behalf of an eligible family under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) may provide assistance for a disabled family that purchases a dwelling unit (including a dwelling unit under a lease-purchase agreement) that will be owned by one or more members of the disabled family and will be occupied by the disabled family, if the disabled family—

(1) purchases the dwelling unit before the expiration of the 3-year period beginning on the date that the Secretary first implements the pilot program under this section;

(2) demonstrates that the disabled family has income from employment or other sources (including public assistance), as determined in accordance with requirements of the Secretary, that is not less than twice the payment standard established by the public housing agency (or such other amount as may be established by the Secretary);

(3) except as provided by the Secretary, demonstrates at the time the disabled family initially receives tenant-based assistance under this section that one or more adult members of the disabled family have achieved employment for the period as the Secretary shall require;

(4) participates in a homeownership and housing counseling program provided by the agency; and

(5) meets any other initial or continuing requirements established by the public housing agency in accordance with requirements established by the Secretary.

(b) **DETERMINATION OF AMOUNT OF ASSISTANCE.**—

(1) **IN GENERAL.**—

(A) **MONTHLY EXPENSES NOT EXCEEDING PAYMENT STANDARD.**—If the monthly homeownership expenses, as determined in accordance with requirements established by the Secretary, do not exceed the payment standard, the monthly assistance payment shall be the amount by which the homeownership expenses exceed the highest of the following amounts, rounded to the nearest dollar:

(i) 30 percent of the monthly adjusted income of the disabled family.

(ii) 10 percent of the monthly income of the disabled family.

(iii) If the disabled family is receiving payments for welfare assistance from a public agency, and a portion of those payments, adjusted in accordance with the actual housing costs of the disabled family, is specifically

designated by that agency to meet the housing costs of the disabled family, the portion of those payments that is so designated.

(B) MONTHLY EXPENSES EXCEED PAYMENT STANDARD.—If the monthly homeownership expenses, as determined in accordance with requirements established by the Secretary, exceed the payment standard, the monthly assistance payment shall be the amount by which the applicable payment standard exceeds the highest of the amounts under clauses (i), (ii), and (iii) of subparagraph (A).

(2) CALCULATION OF AMOUNT.—

(A) LOW-INCOME FAMILIES.—A disabled family that is a low-income family shall be eligible to receive 100 percent of the amount calculated under paragraph (1).

(B) INCOME BETWEEN 81 AND 89 PERCENT OF MEDIAN.—A disabled family whose income is between 81 and 89 percent of the median for the area shall be eligible to receive 66 percent of the amount calculated under paragraph (1).

(C) INCOME BETWEEN 90 AND 99 PERCENT OF MEDIAN.—A disabled family whose income is between 90 and 99 percent of the median for the area shall be eligible to receive 33 percent of the amount calculated under paragraph (1).

(D) INCOME MORE THAN 99 PERCENT OF MEDIAN.—A disabled family whose income is more than 99 percent of the median for the area shall not be eligible to receive assistance under this section.

(C) INSPECTIONS AND CONTRACT CONDITIONS.—

(1) IN GENERAL.—Each contract for the purchase of a dwelling unit to be assisted under this section shall—

(A) provide for pre-purchase inspection of the dwelling unit by an independent professional; and

(B) require that any cost of necessary repairs be paid by the seller.

(2) ANNUAL INSPECTIONS NOT REQUIRED.—The requirement under subsection (c)(8)(A)(ii) of section 8 of the United States Housing Act of 1937 for annual inspections shall not apply to dwelling units assisted under this section.

(d) OTHER AUTHORITY OF THE SECRETARY.—The Secretary may—

(1) limit the term of assistance for a disabled family assisted under this section;

(2) provide assistance for a disabled family for the entire term of a mortgage for a dwelling unit if the disabled family remains eligible for such assistance for such term; and

(3) modify the requirements of this section as the Secretary determines to be necessary to make appropriate adaptations for lease-purchase agreements.

(e) ASSISTANCE PAYMENTS SENT TO LENDER.—The Secretary shall remit assistance payments under this section directly to the mortgagee of the dwelling unit purchased by the disabled family receiving such assistance payments.

(f) INAPPLICABILITY OF CERTAIN PROVISIONS.—Assistance under this section shall not be subject to the requirements of the following provisions:

(1) Subsection (c)(3)(B) of section 8 of the United States Housing Act of 1937.

(2) Subsection (d)(1)(B)(i) of section 8 of the United States Housing Act of 1937.

(3) Any other provisions of section 8 of the United States Housing Act of 1937 governing maximum amounts payable to owners and amounts payable by assisted families.

(4) Any other provisions of section 8 of the United States Housing Act of 1937 concerning contracts between public housing agencies and owners.

(5) Any other provisions of the United States Housing Act of 1937 that are inconsistent with the provisions of this section.

(g) REVERSION TO RENTAL STATUS.—

(1) NON-FHA MORTGAGES.—If a disabled family receiving assistance under this section defaults under a mortgage not insured under the National Housing Act, the disabled family may not continue to receive rental assistance under section 8 of the United States Housing Act of 1937 unless it complies with requirements established by the Secretary.

(2) ALL MORTGAGES.—A disabled family receiving assistance under this section that defaults under a mortgage may not receive assistance under this section for occupancy of another dwelling unit owned by 1 or more members of the disabled family.

(3) EXCEPTION.—This subsection shall not apply if the Secretary determines that the disabled family receiving assistance under this section defaulted under a mortgage due to catastrophic medical reasons or due to the impact of a federally declared major disaster or emergency.

(h) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall issue regulations to implement this section. Such regulations may not prohibit any public housing agency providing tenant-based assistance on behalf of an eligible family under section 8 of the United States Housing Act of 1937 from participating in the pilot program under this section.

(i) DEFINITION OF DISABLED FAMILY.—For the purposes of this section, the term “disabled family” has the meaning given the term “person with disabilities” in section 811(k)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(k)(2)).

SEC. 303. FUNDING FOR PILOT PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for fiscal year 2001 for assistance in connection with the existing homeownership pilot programs carried out under the demonstration program authorized under to section 555(b) of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276; 112 Stat. 2613).

(b) USE.—Subject to subsection (c), amounts made available pursuant to this section shall be used only through such homeownership pilot programs to provide, on behalf of families participating in such programs, amounts for downpayments in connection with dwellings purchased by such families using assistance made available under section 8(y) of the United States Housing Act of 1937 (42 U.S.C. 1437f(y)). No such downpayment grant may exceed 20 percent of the appraised value of the dwelling purchased with assistance under such section 8(y).

(c) MATCHING REQUIREMENT.—The amount of assistance made available under this section for any existing homeownership pilot program may not exceed twice the amount donated from sources other than this section for use under the program for assistance described in subsection (b). Amounts donated from other sources may include amounts from State housing finance agencies and Neighborhood Housing Services of America.

TITLE IV—PRIVATE MORTGAGE INSURANCE CANCELLATION AND TERMINATION

SEC. 401. SHORT TITLE.

This title may be cited as the “Private Mortgage Insurance Technical Corrections and Clarification Act”.

SEC. 402. CHANGES IN AMORTIZATION SCHEDULE.

(a) TREATMENT OF ADJUSTABLE RATE MORTGAGES.—The Homeowners Protection Act of 1998 (12 U.S.C. 4901 et seq.) is amended—

(1) in section 2—

(A) in paragraph (2)(B)(i), by striking “amortization schedules” and inserting “the amortization schedule then in effect”;

(B) in paragraph (16)(B), by striking “amortization schedules” and inserting “the amortization schedule then in effect”;

(C) by redesignating paragraphs (6) through (16) (as amended by the preceding provisions of this paragraph) as paragraphs (8) through (18), respectively; and

(D) by inserting after paragraph (5) the following new paragraph:

“(6) AMORTIZATION SCHEDULE THEN IN EFFECT.—The term ‘amortization schedule then in effect’ means, with respect to an adjustable rate mortgage, a schedule established at the time at which the residential mortgage transaction is consummated or, if such schedule has been changed or recalculated, is the most recent schedule under the terms of the note or mortgage, which shows—

“(A) the amount of principal and interest that is due at regular intervals to retire the principal balance and accrued interest over the remaining amortization period of the loan; and

“(B) the unpaid balance of the loan after each such scheduled payment is made.”; and

(2) in section 3(f)(1)(B)(ii), by striking “amortization schedules” and inserting “the amortization schedule then in effect”.

(b) TREATMENT OF BALLOON MORTGAGES.—Paragraph (1) of section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901(1)) is amended by adding at the end the following new sentence: “A residential mortgage that (A) does not fully amortize over the term of the obligation, and (B) contains a conditional right to refinance or modify the unamortized principal at the maturity date of the term, shall be considered to be an adjustable rate mortgage for purposes of this Act.”

(c) TREATMENT OF LOAN MODIFICATIONS.—

(1) IN GENERAL.—Section 3 of the Homeowners Protection Act of 1998 (12 U.S.C. 4902) is amended—

(A) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(B) by inserting after subsection (c) the following new subsection:

“(d) TREATMENT OF LOAN MODIFICATIONS.—If a mortgagor and mortgagee (or holder of the mortgage) agree to a modification of the terms or conditions of a loan pursuant to a residential mortgage transaction, the cancellation date, termination date, or final termination shall be recalculated to reflect the modified terms and conditions of such loan.”

(2) CONFORMING AMENDMENTS.—Section 4(a) of the Homeowners Protection Act of 1998 (12 U.S.C. 4903(a)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “section 3(f)(1)” and inserting “section 3(g)(1)”; and

(ii) in subparagraph (A)(ii)(IV), by striking “section 3(f)” and inserting “section 3(g)”; and

(iii) in subparagraph (B)(iii), by striking “section 3(f)” and inserting “section 3(g)”; and

(B) in paragraph (2), by striking “section 3(f)(1)” and inserting “section 3(g)(1)”.

SEC. 403. DELETION OF AMBIGUOUS REFERENCES TO RESIDENTIAL MORTGAGES.

(a) TERMINATION OF PRIVATE MORTGAGE INSURANCE.—Section 3 of the Homeowners Protection Act of 1998 (12 U.S.C. 4902) is amended—

(1) in subsection (c), by inserting “on residential mortgage transactions” after “imposed”; and

(2) in subsection (g) (as so redesignated by the preceding provisions of this title)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “mortgage or”;

(B) in paragraph (2), by striking "mortgage or"; and

(C) in paragraph (3), by striking "mortgage or" and inserting "residential mortgage or residential".

(b) DISCLOSURE REQUIREMENTS.—Section 4 of the Homeowners Protection Act of 1998 (12 U.S.C. 4903(a)) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "mortgage or" the first place it appears; and

(ii) by striking "mortgage or" the second place it appears and inserting "residential"; and

(B) in paragraph (2), by striking "mortgage or" and inserting "residential";

(2) in subsection (c), by striking "paragraphs (1)(B) and (3) of subsection (a)" and inserting "subsection (a)(3)"; and

(3) in subsection (d), by inserting before the period at the end the following: ", which disclosures shall relate to the mortgagor's rights under this Act".

(c) DISCLOSURE REQUIREMENTS FOR LENDER-PAID MORTGAGE INSURANCE.—Section 6 of the Homeowners Protection Act of 1998 (12 U.S.C. 4905) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "a residential mortgage or"; and

(B) in paragraph (2), by inserting "transaction" after "residential mortgage"; and

(2) in subsection (d), by inserting "transaction" after "residential mortgage".

SEC. 404. CANCELLATION RIGHTS AFTER CANCELLATION DATE.

Section 3 of the Homeowners Protection Act of 1998 (12 U.S.C. 4902) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting after "cancellation date" the following: "or any later date that the mortgagor fulfills all of the requirements under paragraphs (1) through (4)";

(B) in paragraph (2), by striking "and" at the end;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph:

"(3) is current on the payments required by the terms of the residential mortgage transaction; and"; and

(2) in subsection (e)(1)(B) (as so redesignated by the preceding provisions of this title), by striking "subsection (a)(3)" and inserting "subsection (a)(4)".

SEC. 405. CLARIFICATION OF CANCELLATION AND TERMINATION ISSUES AND LENDER PAID MORTGAGE INSURANCE DISCLOSURE REQUIREMENTS.

(a) GOOD PAYMENT HISTORY.—Section 2(4) of the Homeowners Protection Act of 1998 (12 U.S.C. 4901(4)) is amended—

(1) in subparagraph (A)—

(A) by inserting "the later of (i)" before "the date"; and

(B) by inserting ", or (ii) the date that the mortgagor submits a request for cancellation under section 3(a)(1)" before the semicolon; and

(2) in subparagraph (B)—

(A) by inserting "the later of (i)" before "the date"; and

(B) by inserting ", or (ii) the date that the mortgagor submits a request for cancellation under section 3(a)(1)" before the period at the end.

(b) AUTOMATIC TERMINATION.—Paragraph (2) of section 3(b) of the Homeowners Protection Act of 1998 (12 U.S.C. 4902(b)(2)) is amended to read as follows:

"(2) if the mortgagor is not current on the termination date, on the first day of the first month beginning after the date that the mortgagor becomes current on the payments required by the terms of the residential mortgage transaction."

(c) PREMIUM PAYMENTS.—Section 3 of the Homeowners Protection Act of 1998 (12 U.S.C. 4902) is amended by adding at the end the following new subsection:

"(h) ACCRUED OBLIGATION FOR PREMIUM PAYMENTS.—The cancellation or termination under this section of the private mortgage insurance of a mortgagor shall not affect the rights of any mortgagee, servicer, or mortgage insurer to enforce any obligation of such mortgagor for premium payments accrued prior to the date on which such cancellation or termination occurred."

SEC. 406. DEFINITIONS.

(a) REFINANCED.—Section 6(c)(1)(B)(ii) of the Homeowners Protection Act of 1998 (12 U.S.C. 4905(c)(1)(B)(ii)) is amended by inserting after "refinanced" the following: "(under the meaning given such term in the regulations issued by the Board of Governors of the Federal Reserve System to carry out the Truth in Lending Act (15 U.S.C. 1601 et seq.))".

(b) MIDPOINT OF THE AMORTIZATION PERIOD.—Section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901) is amended by inserting after paragraph (6) (as added by the preceding provisions of this title) the following new paragraph:

"(7) MIDPOINT OF THE AMORTIZATION PERIOD.—The term 'midpoint of the amortization period' means, with respect to a residential mortgage transaction, the point in time that is halfway through the period that begins upon the first day of the amortization period established at the time a residential mortgage transaction is consummated and ends upon the completion of the entire period over which the mortgage is scheduled to be amortized."

(c) ORIGINAL VALUE.—Section 2(12) of the Homeowners Protection Act of 1998 (12 U.S.C. 4901(10)) (as so redesignated by the preceding provisions of this title) is amended—

(1) by inserting "transaction" after "a residential mortgage"; and

(2) by adding at the end the following new sentence: "In the case of a residential mortgage transaction for refinancing the principal residence of the mortgagor, such term means only the appraised value relied upon by the mortgagee to approve the refinance transaction."

(d) PRINCIPAL RESIDENCE.—Section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901) is amended—

(1) in paragraph (14) (as so redesignated by the preceding provisions of this title) by striking "primary" and inserting "principal"; and

(2) in paragraph (15) (as so redesignated by the preceding provisions of this title) by striking "primary" and inserting "principal".

TITLE V—NATIVE AMERICAN HOMEOWNERSHIP

Subtitle A—Native American Housing

SEC. 501. LANDS TITLE REPORT COMMISSION.

(a) ESTABLISHMENT.—Subject to sums being provided in advance in appropriations Acts, there is established a Commission to be known as the Lands Title Report Commission (hereafter in this section referred to as the "Commission") to facilitate home loan mortgages on Indian trust lands. The Commission will be subject to oversight by the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be composed of 12 members, appointed not later than 90 days after the date of the enactment of this Act as follows:

(A) Four members shall be appointed by the President.

(B) Four members shall be appointed by the Chairperson of the Committee on Banking and Financial Services of the House of Representatives.

(C) Four members shall be appointed by the Chairperson of the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) QUALIFICATIONS.—

(A) MEMBERS OF TRIBES.—At all times, not less than eight of the members of the Commission shall be members of federally recognized Indian tribes.

(B) EXPERIENCE IN LAND TITLE MATTERS.—All members of the Commission shall have experience in and knowledge of land title matters relating to Indian trust lands.

(3) CHAIRPERSON.—The Chairperson of the Commission shall be one of the members of the Commission appointed under paragraph (1)(C), as elected by the members of the Commission.

(4) VACANCIES.—Any vacancy on the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(5) TRAVEL EXPENSES.—Members of the Commission shall serve without pay, but each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(c) INITIAL MEETING.—The Chairperson of the Commission shall call the initial meeting of the Commission. Such meeting shall be held within 30 days after the Chairperson of the Commission determines that sums sufficient for the Commission to carry out its duties under this Act have been appropriated for such purpose.

(d) DUTIES.—The Commission shall analyze the system of the Bureau of Indian Affairs of the Department of the Interior for maintaining land ownership records and title documents and issuing certified title status reports relating to Indian trust lands and, pursuant to such analysis, determine how best to improve or replace the system—

(1) to ensure prompt and accurate responses to requests for title status reports;

(2) to eliminate any backlog of requests for title status reports; and

(3) to ensure that the administration of the system will not in any way impair or restrict the ability of Native Americans to obtain conventional loans for purchase of residences located on Indian trust lands, including any actions necessary to ensure that the system will promptly be able to meet future demands for certified title status reports, taking into account the anticipated complexity and volume of such requests.

(e) REPORT.—Not later than the date of the termination of the Commission under subsection (h), the Commission shall submit a report to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate describing the analysis and determinations made pursuant to subsection (d).

(f) POWERS.—

(1) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(2) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

(3) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this section. Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(4) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(5) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its duties under this section.

(6) STAFF.—The Commission may appoint personnel as it considers appropriate, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary, and any amounts appropriated pursuant to this subsection shall remain available until expended.

(h) TERMINATION.—The Commission shall terminate 1 year after the date of the initial meeting of the Commission.

SEC. 502. LOAN GUARANTEES.

Section 184(i) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(i)) is amended—

(1) in paragraph (5), by striking subparagraph (C) and inserting the following new subparagraph:

“(C) LIMITATION ON OUTSTANDING AGGREGATE PRINCIPAL AMOUNT.—Subject to the limitations in subparagraphs (A) and (B), the Secretary may enter into commitments to guarantee loans under this section in each fiscal year with an aggregate outstanding principal amount not exceeding such amount as may be provided in appropriation Acts for such fiscal year.”; and

(2) in paragraph (7), by striking “each of fiscal years 1997, 1998, 1999, 2000, and 2001” and inserting “each fiscal year”.

SEC. 503. NATIVE AMERICAN HOUSING ASSISTANCE.

(a) RESTRICTION ON WAIVER AUTHORITY.—

(1) IN GENERAL.—Section 101(b)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111(b)(2)) is amended by striking “if the Secretary” and all that follows through the period at the end and inserting the following: “for a period of not more than 90 days, if the Secretary determines that an Indian tribe has not complied with, or is unable to comply with, those requirements due to exigent circumstances beyond the control of the Indian tribe.”.

(2) LOCAL COOPERATION AGREEMENT.—Section 101(c) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111(c)) is amended by adding at the end the following: “The Secretary may waive the requirements of this subsection and subsection (d) if the recipient has made a good faith effort to fulfill the requirements of this subsection and subsection (d) and agrees to make payments in lieu of taxes to the appropriate taxing authority in an amount consistent with the requirements of subsection (d)(2) until such time as the matter of making such payments has been resolved in accordance with subsection (d).”.

(b) ASSISTANCE TO FAMILIES THAT ARE NOT LOW-INCOME.—Section 102(c) of the Native

American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112(c)) is amended by adding at the end the following:

“(6) CERTAIN FAMILIES.—With respect to assistance provided under section 201(b)(2) by a recipient to Indian families that are not low-income families, evidence that there is a need for housing for each such family during that period that cannot reasonably be met without such assistance.”.

(c) ELIMINATION OF WAIVER AUTHORITY FOR SMALL TRIBES.—Section 102 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4112) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(d) ENVIRONMENTAL COMPLIANCE.—Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

“(d) ENVIRONMENTAL COMPLIANCE.—The Secretary may waive the requirements under this section if the Secretary determines that a failure on the part of a recipient to comply with provisions of this section—

“(1) will not frustrate the goals of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) or any other provision of law that furthers the goals of that Act;

“(2) does not threaten the health or safety of the community involved by posing an immediate or long-term hazard to residents of that community;

“(3) is a result of inadvertent error, including an incorrect or incomplete certification provided under subsection (c)(1); and

“(4) may be corrected through the sole action of the recipient.”.

(e) OVERSIGHT.—

(1) REPAYMENT.—Section 209 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4139) is amended to read as follows:

“SEC. 209. NONCOMPLIANCE WITH AFFORDABLE HOUSING REQUIREMENT.

“If a recipient uses grant amounts to provide affordable housing under this title, and at any time during the useful life of the housing the recipient does not comply with the requirement under section 205(a)(2), the Secretary shall take appropriate action under section 401(a).”.

(2) AUDITS AND REVIEWS.—Section 405 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4165) is amended to read as follows:

“SEC. 405. REVIEW AND AUDIT BY SECRETARY.

“(a) REQUIREMENTS UNDER CHAPTER 75 OF TITLE 31, UNITED STATES CODE.—An entity designated by an Indian tribe as a housing entity shall be treated, for purposes of chapter 75 of title 31, United States Code, as a non-Federal entity that is subject to the audit requirements that apply to non-Federal entities under that chapter.

“(b) ADDITIONAL REVIEWS AND AUDITS.—

“(1) IN GENERAL.—In addition to any audit or review under subsection (a), to the extent the Secretary determines such action to be appropriate, the Secretary may conduct an audit or review of a recipient in order to—

“(A) determine whether the recipient—

“(i) has carried out—

“(I) eligible activities in a timely manner; and

“(II) eligible activities and certification in accordance with this Act and other applicable law;

“(ii) has a continuing capacity to carry out eligible activities in a timely manner; and

“(iii) is in compliance with the Indian housing plan of the recipient; and

“(B) verify the accuracy of information contained in any performance report submitted by the recipient under section 404.

“(2) ON-SITE VISITS.—To the extent practicable, the reviews and audits conducted under this subsection shall include on-site visits by the appropriate official of the Department of Housing and Urban Development.

“(c) REVIEW OF REPORTS.—

“(1) IN GENERAL.—The Secretary shall provide each recipient that is the subject of a report made by the Secretary under this section notice that the recipient may review and comment on the report during a period of not less than 30 days after the date on which notice is issued under this paragraph.

“(2) PUBLIC AVAILABILITY.—After taking into consideration any comments of the recipient under paragraph (1), the Secretary—

“(A) may revise the report; and

“(B) not later than 30 days after the date on which those comments are received, shall make the comments and the report (with any revisions made under subparagraph (A)) readily available to the public.

“(d) EFFECT OF REVIEWS.—Subject to section 401(a), after reviewing the reports and audits relating to a recipient that are submitted to the Secretary under this section, the Secretary may adjust the amount of a grant made to a recipient under this Act in accordance with the findings of the Secretary with respect to those reports and audits.”.

(f) ALLOCATION FORMULA.—Section 302(d)(1) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4152(d)(1)) is amended—

(1) by striking “The formula,” and inserting the following:

“(A) IN GENERAL.—Except with respect to an Indian tribe described in subparagraph (B), the formula”; and

(2) by adding at the end the following:

“(B) CERTAIN INDIAN TRIBES.—With respect to fiscal year 2001 and each fiscal year thereafter, for any Indian tribe with an Indian housing authority that owns or operates fewer than 250 public housing units, the formula shall provide that if the amount provided for a fiscal year in which the total amount made available for assistance under this Act is equal to or greater than the amount made available for fiscal year 1996 for assistance for the operation and modernization of the public housing referred to in subparagraph (A), then the amount provided to that Indian tribe as modernization assistance shall be equal to the average annual amount of funds provided to the Indian tribe (other than funds provided as emergency assistance) under the assistance program under section 14 of the United States Housing Act of 1937 (42 U.S.C. 1437f) for the period beginning with fiscal year 1992 and ending with fiscal year 1997.”.

(g) HEARING REQUIREMENT.—Section 401(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)) is amended—

(1) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and realigning such subparagraphs (as so redesignated) so as to be indented 4 ems from the left margin;

(2) by striking “Except as provided” and inserting the following:

“(1) IN GENERAL.—Except as provided”; and

(3) by striking “If the Secretary takes an action under paragraph (1), (2), or (3)” and inserting the following:

“(2) CONTINUANCE OF ACTIONS.—If the Secretary takes an action under subparagraph (A), (B), or (C) of paragraph (1)”; and

(4) by adding at the end the following:

“(3) EXCEPTION FOR CERTAIN ACTIONS.—

“(A) IN GENERAL.—Notwithstanding any other provision of this subsection, if the Secretary makes a determination that the failure of a recipient of assistance under this

Act to comply substantially with any material provision (as that term is defined by the Secretary) of this Act is resulting, and would continue to result, in a continuing expenditure of Federal funds in a manner that is not authorized by law, the Secretary may take an action described in paragraph (1)(C) before conducting a hearing.

“(B) PROCEDURAL REQUIREMENT.—If the Secretary takes an action described in subparagraph (A), the Secretary shall—

“(i) provide notice to the recipient at the time that the Secretary takes that action; and

“(ii) conduct a hearing not later than 60 days after the date on which the Secretary provides notice under clause (i).

“(C) DETERMINATION.—Upon completion of a hearing under this paragraph, the Secretary shall make a determination regarding whether to continue taking the action that is the subject of the hearing, or take another action under this subsection.”.

(h) PERFORMANCE AGREEMENT TIME LIMIT.—Section 401(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(b)) is amended—

(1) by striking “If the Secretary” and inserting the following:

“(1) IN GENERAL.—If the Secretary”;

(2) by striking “(1) is not” and inserting the following:

“(A) is not”;

(3) by striking “(2) is a result” and inserting the following:

“(B) is a result”;

(4) in the flush material following paragraph (1)(B), as redesignated by paragraph (3) of this subsection—

(A) by realigning such material so as to be indented 2 ems from the left margin; and

(B) by inserting before the period at the end the following: “, if the recipient enters into a performance agreement with the Secretary that specifies the compliance objectives that the recipient will be required to achieve by the termination date of the performance agreement”; and

(5) by adding at the end the following:

“(2) PERFORMANCE AGREEMENT.—The period of a performance agreement described in paragraph (1) shall be for 1 year.

“(3) REVIEW.—Upon the termination of a performance agreement entered into under paragraph (1), the Secretary shall review the performance of the recipient that is a party to the agreement.

“(4) EFFECT OF REVIEW.—If, on the basis of a review under paragraph (3), the Secretary determines that the recipient—

“(A) has made a good faith effort to meet the compliance objectives specified in the agreement, the Secretary may enter into an additional performance agreement for the period specified in paragraph (2); and

“(B) has failed to make a good faith effort to meet applicable compliance objectives, the Secretary shall determine the recipient to have failed to comply substantially with this Act, and the recipient shall be subject to an action under subsection (a).”.

(i) LABOR STANDARDS.—Section 104(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4114(b)) is amended—

(1) in paragraph (1), by striking “Davis-Bacon Act (40 U.S.C. 276a-276a-5)” and inserting “Act of March 3, 1931 (commonly known as the Davis-Bacon Act; chapter 411; 46 Stat. 1494; 40 U.S.C. 276a et seq.)”; and

(2) by adding at the end the following new paragraph:

“(3) APPLICATION OF TRIBAL LAWS.—Paragraph (1) shall not apply to any contract or agreement for assistance, sale, or lease pursuant to this Act, if such contract or agreement is otherwise covered by one or more

laws or regulations adopted by an Indian tribe that requires the payment of not less than prevailing wages, as determined by the Indian tribe.”.

(j) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—Section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 note) is amended in the table of contents—

(A) by striking the item relating to section 206; and

(B) by striking the item relating to section 209 and inserting the following:

“209. Noncompliance with affordable housing requirement.”.

(2) CERTIFICATION OF COMPLIANCE WITH SUBSIDY LAYERING REQUIREMENTS.—Section 206 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4136) is repealed.

(3) TERMINATIONS.—Section 502(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4181(a)) is amended by adding at the end the following: “Any housing that is the subject of a contract for tenant-based assistance between the Secretary and an Indian housing authority that is terminated under this section shall, for the following fiscal year and each fiscal year thereafter, be considered to be a dwelling unit under section 302(b)(1).”.

Subtitle B—Native Hawaiian Housing

SEC. 511. SHORT TITLE.

This subtitle may be cited as the “Hawaiian Homelands Homeownership Act of 2000”.

SEC. 512. FINDINGS.

The Congress finds that—

(1) the United States has undertaken a responsibility to promote the general welfare of the United States by—

(A) employing its resources to remedy the unsafe and unsanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of lower income; and

(B) developing effective partnerships with governmental and private entities to accomplish the objectives referred to in subparagraph (A);

(2) the United States has a special responsibility for the welfare of the Native peoples of the United States, including Native Hawaiians;

(3) pursuant to the provisions of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), the United States set aside 200,000 acres of land in the Federal territory that later became the State of Hawaii in order to establish a homeland for the native people of Hawaii—Native Hawaiians;

(4) despite the intent of Congress in 1920 to address the housing needs of Native Hawaiians through the enactment of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), Native Hawaiians eligible to reside on the Hawaiian home lands have been foreclosed from participating in Federal housing assistance programs available to all other eligible families in the United States;

(5) although Federal housing assistance programs have been administered on a racially neutral basis in the State of Hawaii, Native Hawaiians continue to have the greatest unmet need for housing and the highest rates of overcrowding in the United States;

(6) among the Native American population of the United States, Native Hawaiians experience the highest percentage of housing problems in the United States, as the percentage—

(A) of housing problems in the Native Hawaiian population is 49 percent, as compared to—

(i) 44 percent for American Indian and Alaska Native households in Indian country; and

(ii) 27 percent for all other households in the United States; and

(B) overcrowding in the Native Hawaiian population is 36 percent as compared to 3 percent for all other households in the United States;

(7) among the Native Hawaiian population, the needs of Native Hawaiians, as that term is defined in section 801 of the Native American Housing Assistance and Self-Determination Act of 1996 (as added by this subtitle), eligible to reside on the Hawaiian Home Lands are the most severe, as—

(A) the percentage of overcrowding in Native Hawaiian households on the Hawaiian Home Lands is 36 percent; and

(B) approximately 13,000 Native Hawaiians, which constitute 95 percent of the Native Hawaiians who are eligible to reside on the Hawaiian Home Lands, are in need of housing;

(8) applying the Department of Housing and Urban Development guidelines—

(A) 70.8 percent of Native Hawaiians who either reside or who are eligible to reside on the Hawaiian Home Lands have incomes that fall below the median family income; and

(B) 50 percent of Native Hawaiians who either reside or who are eligible to reside on the Hawaiian Home Lands have incomes below 30 percent of the median family income;

(9) $\frac{1}{3}$ of those Native Hawaiians who are eligible to reside on the Hawaiian Home Lands pay more than 30 percent of their income for shelter, and $\frac{1}{2}$ of those Native Hawaiians face overcrowding;

(10) the extraordinarily severe housing needs of Native Hawaiians demonstrate that Native Hawaiians who either reside on, or are eligible to reside on, Hawaiian Home Lands have been denied equal access to Federal low-income housing assistance programs available to other qualified residents of the United States, and that a more effective means of addressing their housing needs must be authorized;

(11) consistent with the recommendations of the National Commission on American Indian, Alaska Native, and Native Hawaiian Housing, and in order to address the continuing prevalence of extraordinarily severe housing needs among Native Hawaiians who either reside or are eligible to reside on the Hawaiian Home Lands, Congress finds it necessary to extend the Federal low-income housing assistance available to American Indians and Alaska Natives under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) to those Native Hawaiians;

(12) under the treaty-making power of the United States, Congress had the constitutional authority to confirm a treaty between the United States and the government that represented the Hawaiian people, and from 1826 until 1893, the United States recognized the independence of the Kingdom of Hawaii, extended full diplomatic recognition to the Hawaiian Government, and entered into treaties and conventions with the Hawaiian monarchs to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887;

(13) the United States has recognized and reaffirmed that—

(A) Native Hawaiians have a cultural, historic, and land-based link to the indigenous people who exercised sovereignty over the Hawaiian Islands, and that group has never relinquished its claims to sovereignty or its sovereign lands;

(B) Congress does not extend services to Native Hawaiians because of their race, but because of their unique status as the indigenous people of a once sovereign nation as to

whom the United States has established a trust relationship;

(C) Congress has also delegated broad authority to administer a portion of the Federal trust responsibility to the State of Hawaii;

(D) the political status of Native Hawaiians is comparable to that of American Indians and Alaska Natives; and

(E) the aboriginal, indigenous people of the United States have—

(i) a continuing right to autonomy in their internal affairs; and

(ii) an ongoing right of self-determination and self-governance that has never been extinguished;

(14) the political relationship between the United States and the Native Hawaiian people has been recognized and reaffirmed by the United States as evidenced by the inclusion of Native Hawaiians in—

(A) the Native American Programs Act of 1974 (42 U.S.C. 2291 et seq.);

(B) the American Indian Religious Freedom Act (42 U.S.C. 1996 et seq.);

(C) the National Museum of the American Indian Act (20 U.S.C. 80q et seq.);

(D) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(E) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(F) the Native American Languages Act of 1992 (106 Stat. 3434);

(G) the American Indian, Alaska Native and Native Hawaiian Culture and Arts Development Act (20 U.S.C. 4401 et seq.);

(H) the Job Training Partnership Act (29 U.S.C. 1501 et seq.); and

(I) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.); and

(15) in the area of housing, the United States has recognized and reaffirmed the political relationship with the Native Hawaiian people through—

(A) the enactment of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), which set aside approximately 200,000 acres of public lands that became known as Hawaiian Home Lands in the Territory of Hawaii that had been ceded to the United States for homesteading by Native Hawaiians in order to rehabilitate a landless and dying people;

(B) the enactment of the Act entitled "An Act to provide for the admission of the State of Hawaii into the Union", approved March 18, 1959 (73 Stat. 4)—

(i) by ceding to the State of Hawaii title to the public lands formerly held by the United States, and mandating that those lands be held in public trust, for the betterment of the conditions of Native Hawaiians, as that term is defined in section 201 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.); and

(ii) by transferring the United States responsibility for the administration of Hawaiian Home Lands to the State of Hawaii, but retaining the authority to enforce the trust, including the exclusive right of the United States to consent to any actions affecting the lands which comprise the corpus of the trust and any amendments to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.), enacted by the legislature of the State of Hawaii affecting the rights of beneficiaries under the Act;

(C) the authorization of mortgage loans insured by the Federal Housing Administration for the purchase, construction, or refinancing of homes on Hawaiian Home Lands under the National Housing Act (Public Law 479; 73d Congress; 12 U.S.C. 1701 et seq.);

(D) authorizing Native Hawaiian representation on the National Commission on American Indian, Alaska Native, and Native Hawaiian Housing under Public Law 101-235;

(E) the inclusion of Native Hawaiians in the definition under section 3764 of title 38,

United States Code, applicable to subchapter V of chapter 37 of title 38, United States Code (relating to a housing loan program for Native American veterans); and

(F) the enactment of the Hawaiian Home Lands Recovery Act (109 Stat. 357; 48 U.S.C. 491, note prec.) which establishes a process for the conveyance of Federal lands to the Department of Hawaiian Home Lands that are equivalent in value to lands acquired by the United States from the Hawaiian Home Lands inventory.

SEC. 513. HOUSING ASSISTANCE.

The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) is amended by adding at the end the following:

"TITLE VIII—HOUSING ASSISTANCE FOR NATIVE HAWAIIANS

"SEC. 801. DEFINITIONS.

"In this title:

"(1) DEPARTMENT OF HAWAIIAN HOME LANDS; DEPARTMENT.—The term 'Department of Hawaiian Home Lands' or 'Department' means the agency or department of the government of the State of Hawaii that is responsible for the administration of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.).

"(2) DIRECTOR.—The term 'Director' means the Director of the Department of Hawaiian Home Lands.

"(3) ELDERLY FAMILIES; NEAR-ELDERLY FAMILIES.—

"(A) IN GENERAL.—The term 'elderly family' or 'near-elderly family' means a family whose head (or his or her spouse), or whose sole member, is—

"(i) for an elderly family, an elderly person; or

"(ii) for a near-elderly family, a near-elderly person.

"(B) CERTAIN FAMILIES INCLUDED.—The term 'elderly family' or 'near-elderly family' includes—

"(i) two or more elderly persons or near-elderly persons, as the case may be, living together; and

"(ii) one or more persons described in clause (i) living with one or more persons determined under the housing plan to be essential to their care or well-being.

"(4) HAWAIIAN HOME LANDS.—The term 'Hawaiian Home Lands' means lands that—

"(A) have the status as Hawaiian home lands under section 204 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 110); or

"(B) are acquired pursuant to that Act.

"(5) HOUSING AREA.—The term 'housing area' means an area of Hawaiian Home Lands with respect to which the Department of Hawaiian Home Lands is authorized to provide assistance for affordable housing under this Act.

"(6) HOUSING ENTITY.—The term 'housing entity' means the Department of Hawaiian Home Lands.

"(7) HOUSING PLAN.—The term 'housing plan' means a plan developed by the Department of Hawaiian Home Lands.

"(8) MEDIAN INCOME.—The term 'median income' means, with respect to an area that is a Hawaiian housing area, the greater of—

"(A) the median income for the Hawaiian housing area, which shall be determined by the Secretary; or

"(B) the median income for the State of Hawaii.

"(9) NATIVE HAWAIIAN.—The term 'Native Hawaiian' means any individual who is—

"(A) a citizen of the United States; and

"(B) a descendant of the aboriginal people, who, prior to 1778, occupied and exercised sovereignty in the area that currently constitutes the State of Hawaii, as evidenced by—

"(i) genealogical records;

"(ii) verification by kupuna (elders) or kama'aina (long-term community residents); or

"(iii) birth records of the State of Hawaii.

"SEC. 802. BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

"(a) GRANT AUTHORITY.—For each fiscal year, the Secretary shall (to the extent amounts are made available to carry out this title) make a grant under this title to the Department of Hawaiian Home Lands to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on the Hawaiian Home Lands.

"(b) PLAN REQUIREMENT.—

"(1) IN GENERAL.—The Secretary may make a grant under this title to the Department of Hawaiian Home Lands for a fiscal year only if—

"(A) the Director has submitted to the Secretary a housing plan for that fiscal year; and

"(B) the Secretary has determined under section 804 that the housing plan complies with the requirements of section 803.

"(2) WAIVER.—The Secretary may waive the applicability of the requirements under paragraph (1), in part, if the Secretary finds that the Department of Hawaiian Home Lands has not complied or cannot comply with those requirements due to circumstances beyond the control of the Department of Hawaiian Home Lands.

"(c) USE OF AFFORDABLE HOUSING ACTIVITIES UNDER PLAN.—Except as provided in subsection (e), amounts provided under a grant under this section may be used only for affordable housing activities under this title that are consistent with a housing plan approved under section 804.

"(d) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—The Secretary shall, by regulation, authorize the Department of Hawaiian Home Lands to use a percentage of any grant amounts received under this title for any reasonable administrative and planning expenses of the Department relating to carrying out this title and activities assisted with those amounts.

"(2) ADMINISTRATIVE AND PLANNING EXPENSES.—The administrative and planning expenses referred to in paragraph (1) include—

"(A) costs for salaries of individuals engaged in administering and managing affordable housing activities assisted with grant amounts provided under this title; and

"(B) expenses incurred in preparing a housing plan under section 803.

"(e) PUBLIC-PRIVATE PARTNERSHIPS.—The Director shall make all reasonable efforts, consistent with the purposes of this title, to maximize participation by the private sector, including nonprofit organizations and for-profit entities, in implementing a housing plan that has been approved by the Secretary under section 803.

"SEC. 803. HOUSING PLAN.

"(a) PLAN SUBMISSION.—The Secretary shall—

"(1) require the Director to submit a housing plan under this section for each fiscal year; and

"(2) provide for the review of each plan submitted under paragraph (1).

"(b) FIVE-YEAR PLAN.—Each housing plan under this section shall—

"(1) be in a form prescribed by the Secretary; and

"(2) contain, with respect to the 5-year period beginning with the fiscal year for which the plan is submitted, the following information:

"(A) MISSION STATEMENT.—A general statement of the mission of the Department of Hawaiian Home Lands to serve the needs of

the low-income families to be served by the Department.

“(B) GOAL AND OBJECTIVES.—A statement of the goals and objectives of the Department of Hawaiian Home Lands to enable the Department to serve the needs identified in subparagraph (A) during the period.

“(C) ACTIVITIES PLANS.—An overview of the activities planned during the period including an analysis of the manner in which the activities will enable the Department to meet its mission, goals, and objectives.

“(c) ONE-YEAR PLAN.—A housing plan under this section shall—

“(1) be in a form prescribed by the Secretary; and

“(2) contain the following information relating to the fiscal year for which the assistance under this title is to be made available:

“(A) GOALS AND OBJECTIVES.—A statement of the goals and objectives to be accomplished during the period covered by the plan.

“(B) STATEMENT OF NEEDS.—A statement of the housing needs of the low-income families served by the Department and the means by which those needs will be addressed during the period covered by the plan, including—

“(i) a description of the estimated housing needs and the need for assistance for the low-income families to be served by the Department, including a description of the manner in which the geographical distribution of assistance is consistent with—

“(I) the geographical needs of those families; and

“(II) needs for various categories of housing assistance; and

“(ii) a description of the estimated housing needs for all families to be served by the Department.

“(C) FINANCIAL RESOURCES.—An operating budget for the Department of Hawaiian Home Lands, in a form prescribed by the Secretary, that includes—

“(i) an identification and a description of the financial resources reasonably available to the Department to carry out the purposes of this title, including an explanation of the manner in which amounts made available will be used to leverage additional resources; and

“(ii) the uses to which the resources described in clause (i) will be committed, including—

“(I) eligible and required affordable housing activities; and

“(II) administrative expenses.

“(D) AFFORDABLE HOUSING RESOURCES.—A statement of the affordable housing resources currently available at the time of the submittal of the plan and to be made available during the period covered by the plan, including—

“(i) a description of the significant characteristics of the housing market in the State of Hawaii, including the availability of housing from other public sources, private market housing;

“(ii) the manner in which the characteristics referred to in clause (i) influence the decision of the Department of Hawaiian Home Lands to use grant amounts to be provided under this title for—

“(I) rental assistance;

“(II) the production of new units;

“(III) the acquisition of existing units; or

“(IV) the rehabilitation of units;

“(iii) a description of the structure, coordination, and means of cooperation between the Department of Hawaiian Home Lands and any other governmental entities in the development, submission, or implementation of housing plans, including a description of—

“(I) the involvement of private, public, and nonprofit organizations and institutions;

“(II) the use of loan guarantees under section 184A of the Housing and Community Development Act of 1992; and

“(III) other housing assistance provided by the United States, including loans, grants, and mortgage insurance;

“(iv) a description of the manner in which the plan will address the needs identified pursuant to subparagraph (C);

“(v) a description of—

“(I) any existing or anticipated homeownership programs and rental programs to be carried out during the period covered by the plan; and

“(II) the requirements and assistance available under the programs referred to in subclause (I);

“(vi) a description of—

“(I) any existing or anticipated housing rehabilitation programs necessary to ensure the long-term viability of the housing to be carried out during the period covered by the plan; and

“(II) the requirements and assistance available under the programs referred to in subclause (I);

“(vii) a description of—

“(I) all other existing or anticipated housing assistance provided by the Department of Hawaiian Home Lands during the period covered by the plan, including—

“(aa) transitional housing;

“(bb) homeless housing;

“(cc) college housing; and

“(dd) supportive services housing; and

“(II) the requirements and assistance available under such programs;

“(viii) (I) a description of any housing to be demolished or disposed of;

“(II) a timetable for that demolition or disposition; and

“(III) any other information required by the Secretary with respect to that demolition or disposition;

“(ix) a description of the manner in which the Department of Hawaiian Home Lands will coordinate with welfare agencies in the State of Hawaii to ensure that residents of the affordable housing will be provided with access to resources to assist in obtaining employment and achieving self-sufficiency;

“(x) a description of the requirements established by the Department of Hawaiian Home Lands to—

“(I) promote the safety of residents of the affordable housing;

“(II) facilitate the undertaking of crime prevention measures;

“(III) allow resident input and involvement, including the establishment of resident organizations; and

“(IV) allow for the coordination of crime prevention activities between the Department and local law enforcement officials; and

“(xi) a description of the entities that will carry out the activities under the plan, including the organizational capacity and key personnel of the entities.

“(E) CERTIFICATION OF COMPLIANCE.—Evidence of compliance that shall include, as appropriate—

“(i) a certification that the Department of Hawaiian Home Lands will comply with—

“(I) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or with the Fair Housing Act (42 U.S.C. 3601 et seq.) in carrying out this title, to the extent that such title is applicable; and

“(II) other applicable Federal statutes;

“(ii) a certification that the Department will require adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under this title, in compliance with such requirements as may be established by the Secretary;

“(iii) a certification that policies are in effect and are available for review by the Secretary and the public governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under this title;

“(iv) a certification that policies are in effect and are available for review by the Secretary and the public governing rents charged, including the methods by which such rents or homebuyer payments are determined, for housing assisted with grant amounts provided under this title; and

“(v) a certification that policies are in effect and are available for review by the Secretary and the public governing the management and maintenance of housing assisted with grant amounts provided under this title.

“(d) APPLICABILITY OF CIVIL RIGHTS STATUTES.—

“(1) IN GENERAL.—To the extent that the requirements of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or of the Fair Housing Act (42 U.S.C. 3601 et seq.) apply to assistance provided under this title, nothing in the requirements concerning discrimination on the basis of race shall be construed to prevent the provision of assistance under this title—

“(A) to the Department of Hawaiian Home Lands on the basis that the Department served Native Hawaiians; or

“(B) to an eligible family on the basis that the family is a Native Hawaiian family.

“(2) CIVIL RIGHTS.—Program eligibility under this title may be restricted to Native Hawaiians. Subject to the preceding sentence, no person may be discriminated against on the basis of race, color, national origin, religion, sex, familial status, or disability.

“(e) USE OF NONPROFIT ORGANIZATIONS.—As a condition of receiving grant amounts under this title, the Department of Hawaiian Home Lands shall, to the extent practicable, provide for private nonprofit organizations experienced in the planning and development of affordable housing for Native Hawaiians to carry out affordable housing activities with those grant amounts.

“SEC. 804. REVIEW OF PLANS.

“(a) REVIEW AND NOTICE.—

“(1) REVIEW.—

“(A) IN GENERAL.—The Secretary shall conduct a review of a housing plan submitted to the Secretary under section 803 to ensure that the plan complies with the requirements of that section.

“(B) LIMITATION.—The Secretary shall have the discretion to review a plan referred to in subparagraph (A) only to the extent that the Secretary considers that the review is necessary.

“(2) NOTICE.—

“(A) IN GENERAL.—Not later than 60 days after receiving a plan under section 803, the Secretary shall notify the Director of the Department of Hawaiian Home Lands whether the plan complies with the requirements under that section.

“(B) EFFECT OF FAILURE OF SECRETARY TO TAKE ACTION.—For purposes of this title, if the Secretary does not notify the Director, as required under this subsection and subsection (b), upon the expiration of the 60-day period described in subparagraph (A)—

“(i) the plan shall be considered to have been determined to comply with the requirements under section 803; and

“(ii) the Director shall be considered to have been notified of compliance.

“(b) NOTICE OF REASONS FOR DETERMINATION OF NONCOMPLIANCE.—If the Secretary determines that a plan submitted under section 803 does not comply with the requirements of that section, the Secretary shall specify in the notice under subsection (a)—

"(1) the reasons for noncompliance; and
 "(2) any modifications necessary for the plan to meet the requirements of section 803.

"(C) REVIEW.—

"(1) IN GENERAL.—After the Director of the Department of Hawaiian Home Lands submits a housing plan under section 803, or any amendment or modification to the plan to the Secretary, to the extent that the Secretary considers such action to be necessary to make a determination under this subsection, the Secretary shall review the plan (including any amendments or modifications thereto) to determine whether the contents of the plan—

"(A) set forth the information required by section 803 to be contained in the housing plan;

"(B) are consistent with information and data available to the Secretary; and

"(C) are not prohibited by or inconsistent with any provision of this Act or any other applicable law.

"(2) INCOMPLETE PLANS.—If the Secretary determines under this subsection that any of the appropriate certifications required under section 803(c)(2)(E) are not included in a plan, the plan shall be considered to be incomplete.

"(d) UPDATES TO PLAN.—

"(1) IN GENERAL.—Subject to paragraph (2), after a plan under section 803 has been submitted for a fiscal year, the Director of the Department of Hawaiian Home Lands may comply with the provisions of that section for any succeeding fiscal year (with respect to information included for the 5-year period under section 803(b) or for the 1-year period under section 803(c)) by submitting only such information regarding such changes as may be necessary to update the plan previously submitted.

"(2) COMPLETE PLANS.—The Director shall submit a complete plan under section 803 not later than 4 years after submitting an initial plan under that section, and not less frequently than every 4 years thereafter.

"(e) EFFECTIVE DATE.—This section and section 803 shall take effect on the date provided by the Secretary pursuant to section 807(a) to provide for timely submission and review of the housing plan as necessary for the provision of assistance under this title for fiscal year 2001.

"SEC. 805. TREATMENT OF PROGRAM INCOME AND LABOR STANDARDS.

"(a) PROGRAM INCOME.—

"(1) AUTHORITY TO RETAIN.—The Department of Hawaiian Home Lands may retain any program income that is realized from any grant amounts received by the Department under this title if—

"(A) that income was realized after the initial disbursement of the grant amounts received by the Department; and

"(B) the Director agrees to use the program income for affordable housing activities in accordance with the provisions of this title.

"(2) PROHIBITION OF REDUCTION OF GRANT.—The Secretary may not reduce the grant amount for the Department of Hawaiian Home Lands based solely on—

"(A) whether the Department retains program income under paragraph (1); or

"(B) the amount of any such program income retained.

"(3) EXCLUSION OF AMOUNTS.—The Secretary may, by regulation, exclude from consideration as program income any amounts determined to be so small that compliance with the requirements of this subsection would create an unreasonable administrative burden on the Department.

"(b) LABOR STANDARDS.—

"(1) IN GENERAL.—Any contract or agreement for assistance, sale, or lease pursuant to this title shall contain—

"(A) a provision requiring that an amount not less than the wages prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Secretary, shall be paid to all architects, technical engineers, draftsmen, technicians employed in the development and all maintenance, and laborers and mechanics employed in the operation, of the affordable housing project involved; and

"(B) a provision that an amount not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Act commonly known as the 'Davis-Bacon Act' (46 Stat. 1494; chapter 411; 40 U.S.C. 276a et seq.) shall be paid to all laborers and mechanics employed in the development of the affordable housing involved.

"(2) EXCEPTIONS.—Paragraph (1) and provisions relating to wages required under paragraph (1) in any contract or agreement for assistance, sale, or lease under this title, shall not apply to any individual who performs the services for which the individual volunteered and who is not otherwise employed at any time in the construction work and received no compensation or is paid expenses, reasonable benefits, or a nominal fee for those services.

"SEC. 806. ENVIRONMENTAL REVIEW.

"(a) IN GENERAL.—

"(1) RELEASE OF FUNDS.—

"(A) IN GENERAL.—The Secretary may carry out the alternative environmental protection procedures described in subparagraph (B) in order to ensure—

"(i) that the policies of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act (as specified in regulations issued by the Secretary) are most effectively implemented in connection with the expenditure of grant amounts provided under this title; and

"(ii) to the public undiminished protection of the environment.

"(B) ALTERNATIVE ENVIRONMENTAL PROTECTION PROCEDURE.—In lieu of applying environmental protection procedures otherwise applicable, the Secretary may by regulation provide for the release of funds for specific projects to the Department of Hawaiian Home Lands if the Director of the Department assumes all of the responsibilities for environmental review, decisionmaking, and action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and such other provisions of law as the regulations of the Secretary specify, that would apply to the Secretary were the Secretary to undertake those projects as Federal projects.

"(2) REGULATIONS.—

"(A) IN GENERAL.—The Secretary shall issue regulations to carry out this section only after consultation with the Council on Environmental Quality.

"(B) CONTENTS.—The regulations issued under this paragraph shall—

"(i) provide for the monitoring of the environmental reviews performed under this section;

"(ii) in the discretion of the Secretary, facilitate training for the performance of such reviews; and

"(iii) provide for the suspension or termination of the assumption of responsibilities under this section.

"(3) EFFECT ON ASSUMED RESPONSIBILITY.—The duty of the Secretary under paragraph (2)(B) shall not be construed to limit or reduce any responsibility assumed by the Department of Hawaiian Home Lands for grant amounts with respect to any specific release of funds.

"(b) PROCEDURE.—

"(1) IN GENERAL.—The Secretary shall authorize the release of funds subject to the

procedures under this section only if, not less than 15 days before that approval and before any commitment of funds to such projects, the Director of the Department of Hawaiian Home Lands submits to the Secretary a request for such release accompanied by a certification that meets the requirements of subsection (c).

"(2) EFFECT OF APPROVAL.—The approval of the Secretary of a certification described in paragraph (1) shall be deemed to satisfy the responsibilities of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and such other provisions of law as the regulations of the Secretary specify to the extent that those responsibilities relate to the releases of funds for projects that are covered by that certification.

"(c) CERTIFICATION.—A certification under the procedures under this section shall—

"(1) be in a form acceptable to the Secretary;

"(2) be executed by the Director of the Department of Hawaiian Home Lands;

"(3) specify that the Department of Hawaiian Home Lands has fully carried out its responsibilities as described under subsection (a); and

"(4) specify that the Director—

"(A) consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and each provision of law specified in regulations issued by the Secretary to the extent that those laws apply by reason of subsection (a); and

"(B) is authorized and consents on behalf of the Department of Hawaiian Home Lands and the Director to accept the jurisdiction of the Federal courts for the purpose of enforcement of the responsibilities of the Director of the Department of Hawaiian Home Lands as such an official.

"SEC. 807. REGULATIONS.

"The Secretary shall issue final regulations necessary to carry out this title not later than October 1, 2001.

"SEC. 808. EFFECTIVE DATE.

"Except as otherwise expressly provided in this title, this title shall take effect on the date of the enactment of the American Homeownership and Economic Opportunity Act of 2000.

"SEC. 809. AFFORDABLE HOUSING ACTIVITIES.

"(a) NATIONAL OBJECTIVES AND ELIGIBLE FAMILIES.—

"(1) PRIMARY OBJECTIVE.—The national objectives of this title are—

"(A) to assist and promote affordable housing activities to develop, maintain, and operate affordable housing in safe and healthy environments for occupancy by low-income Native Hawaiian families;

"(B) to ensure better access to private mortgage markets and to promote self-sufficiency of low-income Native Hawaiian families;

"(C) to coordinate activities to provide housing for low-income Native Hawaiian families with Federal, State and local activities to further economic and community development;

"(D) to plan for and integrate infrastructure resources on the Hawaiian Home Lands with housing development; and

"(E) to—

"(i) promote the development of private capital markets; and

"(ii) allow the markets referred to in clause (i) to operate and grow, thereby benefiting Native Hawaiian communities.

"(2) ELIGIBLE FAMILIES.—

"(A) IN GENERAL.—Except as provided under subparagraph (B), assistance for eligible housing activities under this title shall be limited to low-income Native Hawaiian families.

“(B) EXCEPTION TO LOW-INCOME REQUIREMENT.—

“(i) IN GENERAL.—The Director may provide assistance for homeownership activities under—

“(I) section 810(b);

“(II) model activities under section 810(f); or

“(III) loan guarantee activities under section 184A of the Housing and Community Development Act of 1992 to Native Hawaiian families who are not low-income families, to the extent that the Secretary approves the activities under that section to address a need for housing for those families that cannot be reasonably met without that assistance.

“(ii) LIMITATIONS.—The Secretary shall establish limitations on the amount of assistance that may be provided under this title for activities for families that are not low-income families.

“(C) OTHER FAMILIES.—Notwithstanding paragraph (1), the Director may provide housing or housing assistance provided through affordable housing activities assisted with grant amounts under this title to a family that is not composed of Native Hawaiians if—

“(i) the Department determines that the presence of the family in the housing involved is essential to the well-being of Native Hawaiian families; and

“(ii) the need for housing for the family cannot be reasonably met without the assistance.

“(D) PREFERENCE.—

“(i) IN GENERAL.—A housing plan submitted under section 803 may authorize a preference, for housing or housing assistance provided through affordable housing activities assisted with grant amounts provided under this title to be provided, to the extent practicable, to families that are eligible to reside on the Hawaiian Home Lands.

“(ii) APPLICATION.—In any case in which a housing plan provides for preference described in clause (i), the Director shall ensure that housing activities that are assisted with grant amounts under this title are subject to that preference.

“(E) USE OF NONPROFIT ORGANIZATIONS.—As a condition of receiving grant amounts under this title, the Department of Hawaiian Home Lands, shall to the extent practicable, provide for private nonprofit organizations experienced in the planning and development of affordable housing for Native Hawaiians to carry out affordable housing activities with those grant amounts.

“SEC. 810. ELIGIBLE AFFORDABLE HOUSING ACTIVITIES.

“(a) IN GENERAL.—Affordable housing activities under this section are activities conducted in accordance with the requirements of section 811 to—

“(1) develop or to support affordable housing for rental or homeownership; or

“(2) provide housing services with respect to affordable housing, through the activities described in subsection (b).

“(b) ACTIVITIES.—The activities described in this subsection are the following:

“(1) DEVELOPMENT.—The acquisition, new construction, reconstruction, or moderate or substantial rehabilitation of affordable housing, which may include—

“(A) real property acquisition;

“(B) site improvement;

“(C) the development of utilities and utility services;

“(D) conversion;

“(E) demolition;

“(F) financing;

“(G) administration and planning; and

“(H) other related activities.

“(2) HOUSING SERVICES.—The provision of housing-related services for affordable housing, including—

“(A) housing counseling in connection with rental or homeownership assistance;

“(B) the establishment and support of resident organizations and resident management corporations;

“(C) energy auditing;

“(D) activities related to the provisions of self-sufficiency and other services; and

“(E) other services related to assisting owners, tenants, contractors, and other entities participating or seeking to participate in other housing activities assisted pursuant to this section.

“(3) HOUSING MANAGEMENT SERVICES.—The provision of management services for affordable housing, including—

“(A) the preparation of work specifications;

“(B) loan processing;

“(C) inspections;

“(D) tenant selection;

“(E) management of tenant-based rental assistance; and

“(F) management of affordable housing projects.

“(4) CRIME PREVENTION AND SAFETY ACTIVITIES.—The provision of safety, security, and law enforcement measures and activities appropriate to protect residents of affordable housing from crime.

“(5) MODEL ACTIVITIES.—Housing activities under model programs that are—

“(A) designed to carry out the purposes of this title; and

“(B) specifically approved by the Secretary as appropriate for the purpose referred to in subparagraph (A).

“SEC. 811. PROGRAM REQUIREMENTS.

“(a) RENTS.—

“(1) ESTABLISHMENT.—Subject to paragraph (2), as a condition to receiving grant amounts under this title, the Director shall develop written policies governing rents and homebuyer payments charged for dwelling units assisted under this title, including methods by which such rents and homebuyer payments are determined.

“(2) MAXIMUM RENT.—In the case of any low-income family residing in a dwelling unit assisted with grant amounts under this title, the monthly rent or homebuyer payment (as applicable) for that dwelling unit may not exceed 30 percent of the monthly adjusted income of that family.

“(b) MAINTENANCE AND EFFICIENT OPERATION.—

“(1) IN GENERAL.—The Director shall, using amounts of any grants received under this title, reserve and use for operating under section 810 such amounts as may be necessary to provide for the continued maintenance and efficient operation of such housing.

“(2) DISPOSAL OF CERTAIN HOUSING.—This subsection may not be construed to prevent the Director, or any entity funded by the Department, from demolishing or disposing of housing, pursuant to regulations established by the Secretary.

“(c) INSURANCE COVERAGE.—As a condition to receiving grant amounts under this title, the Director shall require adequate insurance coverage for housing units that are owned or operated or assisted with grant amounts provided under this title.

“(d) ELIGIBILITY FOR ADMISSION.—As a condition to receiving grant amounts under this title, the Director shall develop written policies governing the eligibility, admission, and occupancy of families for housing assisted with grant amounts provided under this title.

“(e) MANAGEMENT AND MAINTENANCE.—As a condition to receiving grant amounts under

this title, the Director shall develop policies governing the management and maintenance of housing assisted with grant amounts under this title.

“SEC. 812. TYPES OF INVESTMENTS.

“(a) IN GENERAL.—Subject to section 811 and an applicable housing plan approved under section 803, the Director shall have—

“(1) the discretion to use grant amounts for affordable housing activities through the use of—

“(A) equity investments;

“(B) interest-bearing loans or advances;

“(C) noninterest-bearing loans or advances;

“(D) interest subsidies;

“(E) the leveraging of private investments;

or

“(F) any other form of assistance that the Secretary determines to be consistent with the purposes of this title; and

“(2) the right to establish the terms of assistance provided with funds referred to in paragraph (1).

“(b) INVESTMENTS.—The Director may invest grant amounts for the purposes of carrying out affordable housing activities in investment securities and other obligations, as approved by the Secretary.

“SEC. 813. LOW-INCOME REQUIREMENT AND INCOME TARGETING.

“(a) IN GENERAL.—Housing shall qualify for affordable housing for purposes of this title only if—

“(1) each dwelling unit in the housing—

“(A) in the case of rental housing, is made available for occupancy only by a family that is a low-income family at the time of the initial occupancy of that family of that unit; and

“(B) in the case of housing for homeownership, is made available for purchase only by a family that is a low-income family at the time of purchase; and

“(2) each dwelling unit in the housing will remain affordable, according to binding commitments satisfactory to the Secretary, for—

“(A) the remaining useful life of the property (as determined by the Secretary) without regard to the term of the mortgage or to transfer of ownership; or

“(B) such other period as the Secretary determines is the longest feasible period of time consistent with sound economics and the purposes of this title, except upon a foreclosure by a lender (or upon other transfer in lieu of foreclosure) if that action—

“(i) recognizes any contractual or legal rights of any public agency, nonprofit sponsor, or other person or entity to take an action that would—

“(I) avoid termination of low-income affordability, in the case of foreclosure; or

“(II) transfer ownership in lieu of foreclosure; and

“(ii) is not for the purpose of avoiding low-income affordability restrictions, as determined by the Secretary.

“(b) EXCEPTION.—Notwithstanding subsection (a), housing assisted pursuant to section 809(a)(2)(B) shall be considered affordable housing for purposes of this title.

“SEC. 814. LEASE REQUIREMENTS AND TENANT SELECTION.

“(a) LEASES.—Except to the extent otherwise provided by or inconsistent with the laws of the State of Hawaii, in renting dwelling units in affordable housing assisted with grant amounts provided under this title, the Director, owner, or manager shall use leases that—

“(1) do not contain unreasonable terms and conditions;

“(2) require the Director, owner, or manager to maintain the housing in compliance with applicable housing codes and quality standards;

“(3) require the Director, owner, or manager to give adequate written notice of termination of the lease, which shall be the period of time required under applicable State or local law;

“(4) specify that, with respect to any notice of eviction or termination, notwithstanding any State or local law, a resident shall be informed of the opportunity, before any hearing or trial, to examine any relevant documents, record, or regulations directly related to the eviction or termination;

“(5) require that the Director, owner, or manager may not terminate the tenancy, during the term of the lease, except for serious or repeated violation of the terms and conditions of the lease, violation of applicable Federal, State, or local law, or for other good cause; and

“(6) provide that the Director, owner, or manager may terminate the tenancy of a resident for any activity, engaged in by the resident, any member of the household of the resident, or any guest or other person under the control of the resident, that—

“(A) threatens the health or safety of, or right to peaceful enjoyment of the premises by, other residents or employees of the Department, owner, or manager;

“(B) threatens the health or safety of, or right to peaceful enjoyment of their premises by, persons residing in the immediate vicinity of the premises; or

“(C) is criminal activity (including drug-related criminal activity) on or off the premises.

“(b) TENANT OR HOMEBUYER SELECTION.—As a condition to receiving grant amounts under this title, the Director shall adopt and use written tenant and homebuyer selection policies and criteria that—

“(1) are consistent with the purpose of providing housing for low-income families;

“(2) are reasonably related to program eligibility and the ability of the applicant to perform the obligations of the lease; and

“(3) provide for—

“(A) the selection of tenants and homebuyers from a written waiting list in accordance with the policies and goals set forth in an applicable housing plan approved under section 803; and

“(B) the prompt notification in writing of any rejected applicant of the grounds for that rejection.

“SEC. 815. REPAYMENT.

“If the Department of Hawaiian Home Lands uses grant amounts to provide affordable housing under activities under this title and, at any time during the useful life of the housing, the housing does not comply with the requirement under section 813(a)(2), the Secretary shall—

“(1) reduce future grant payments on behalf of the Department by an amount equal to the grant amounts used for that housing (under the authority of section 819(a)(2)); or

“(2) require repayment to the Secretary of any amount equal to those grant amounts.

“SEC. 816. ANNUAL ALLOCATION.

“For each fiscal year, the Secretary shall allocate any amounts made available for assistance under this title for the fiscal year, in accordance with the formula established pursuant to section 817 to the Department of Hawaiian Home Lands if the Department complies with the requirements under this title for a grant under this title.

“SEC. 817. ALLOCATION FORMULA.

“(a) ESTABLISHMENT.—The Secretary shall, by regulation issued not later than the expiration of the 6-month period beginning on the date of the enactment of the American Homeownership and Economic Opportunity Act of 2000, in the manner provided under section 807, establish a formula to provide for the allocation of amounts available for a

fiscal year for block grants under this title in accordance with the requirements of this section.

“(b) FACTORS FOR DETERMINATION OF NEED.—The formula under subsection (a) shall be based on factors that reflect the needs for assistance for affordable housing activities, including—

“(1) the number of low-income dwelling units owned or operated at the time pursuant to a contract between the Director and the Secretary;

“(2) the extent of poverty and economic distress and the number of Native Hawaiian families eligible to reside on the Hawaiian Home Lands; and

“(3) any other objectively measurable conditions that the Secretary and the Director may specify.

“(c) OTHER FACTORS FOR CONSIDERATION.—In establishing the formula under subsection (a), the Secretary shall consider the relative administrative capacities of the Department of Hawaiian Home Lands and other challenges faced by the Department, including—

“(1) geographic distribution within Hawaiian Home Lands; and

“(2) technical capacity.

“(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of the American Homeownership and Economic Opportunity Act of 2000.

“SEC. 818. REMEDIES FOR NONCOMPLIANCE.

“(a) ACTIONS BY SECRETARY AFFECTING GRANT AMOUNTS.—

“(1) IN GENERAL.—Except as provided in subsection (b), if the Secretary finds after reasonable notice and opportunity for a hearing that the Department of Hawaiian Home Lands has failed to comply substantially with any provision of this title, the Secretary shall—

“(A) terminate payments under this title to the Department;

“(B) reduce payments under this title to the Department by an amount equal to the amount of such payments that were not expended in accordance with this title; or

“(C) limit the availability of payments under this title to programs, projects, or activities not affected by such failure to comply.

“(2) ACTIONS.—If the Secretary takes an action under subparagraph (A), (B), or (C) of paragraph (1), the Secretary shall continue that action until the Secretary determines that the failure by the Department to comply with the provision has been remedied by the Department and the Department is in compliance with that provision.

“(b) NONCOMPLIANCE BECAUSE OF A TECHNICAL INCAPACITY.—The Secretary may provide technical assistance for the Department, either directly or indirectly, that is designed to increase the capability and capacity of the Director of the Department to administer assistance provided under this title in compliance with the requirements under this title if the Secretary makes a finding under subsection (a), but determines that the failure of the Department to comply substantially with the provisions of this title—

“(1) is not a pattern or practice of activities constituting willful noncompliance; and

“(2) is a result of the limited capability or capacity of the Department of Hawaiian Home Lands.

“(c) REFERRAL FOR CIVIL ACTION.—

“(1) AUTHORITY.—In lieu of, or in addition to, any action that the Secretary may take under subsection (a), if the Secretary has reason to believe that the Department of Hawaiian Home Lands has failed to comply substantially with any provision of this title, the Secretary may refer the matter to the Attorney General of the United States with

a recommendation that an appropriate civil action be instituted.

“(2) CIVIL ACTION.—Upon receiving a referral under paragraph (1), the Attorney General may bring a civil action in any United States district court of appropriate jurisdiction for such relief as may be appropriate, including an action—

“(A) to recover the amount of the assistance furnished under this title that was not expended in accordance with this title; or

“(B) for mandatory or injunctive relief.

“(d) REVIEW.—

“(1) IN GENERAL.—If the Director receives notice under subsection (a) of the termination, reduction, or limitation of payments under this Act, the Director—

“(A) may, not later than 60 days after receiving such notice, file with the United States Court of Appeals for the Ninth Circuit, or in the United States Court of Appeals for the District of Columbia, a petition for review of the action of the Secretary; and

“(B) upon the filing of any petition under subparagraph (A), shall forthwith transmit copies of the petition to the Secretary and the Attorney General of the United States, who shall represent the Secretary in the litigation.

“(2) PROCEDURE.—

“(A) IN GENERAL.—The Secretary shall file in the court a record of the proceeding on which the Secretary based the action, as provided in section 2112 of title 28, United States Code.

“(B) OBJECTIONS.—No objection to the action of the Secretary shall be considered by the court unless the Department has registered the objection before the Secretary.

“(3) DISPOSITION.—

“(A) COURT PROCEEDINGS.—

“(i) JURISDICTION OF COURT.—The court shall have jurisdiction to affirm or modify the action of the Secretary or to set the action aside in whole or in part.

“(ii) FINDINGS OF FACT.—If supported by substantial evidence on the record considered as a whole, the findings of fact by the Secretary shall be conclusive.

“(iii) ADDITION.—The court may order evidence, in addition to the evidence submitted for review under this subsection, to be taken by the Secretary, and to be made part of the record.

“(B) SECRETARY.—

“(i) IN GENERAL.—The Secretary, by reason of the additional evidence referred to in subparagraph (A) and filed with the court—

“(I) may—

“(aa) modify the findings of fact of the Secretary; or

“(bb) make new findings; and

“(II) shall file—

“(aa) such modified or new findings; and

“(bb) the recommendation of the Secretary, if any, for the modification or setting aside of the original action of the Secretary.

“(ii) FINDINGS.—The findings referred to in clause (i)(II)(bb) shall, with respect to a question of fact, be considered to be conclusive if those findings are—

“(I) supported by substantial evidence on the record; and

“(II) considered as a whole.

“(4) FINALITY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), upon the filing of the record under this subsection with the court—

“(i) the jurisdiction of the court shall be exclusive; and

“(ii) the judgment of the court shall be final.

“(B) REVIEW BY SUPREME COURT.—A judgment under subparagraph (A) shall be subject to review by the Supreme Court of the United States upon writ of certiorari or certification, as provided in section 1254 of title 28, United States Code.

"SEC. 819. MONITORING OF COMPLIANCE.

"(a) ENFORCEABLE AGREEMENTS.—

"(1) IN GENERAL.—The Director, through binding contractual agreements with owners or other authorized entities, shall ensure long-term compliance with the provisions of this title.

"(2) MEASURES.—The measures referred to in paragraph (1) shall provide for—

"(A) to the extent allowable by Federal and State law, the enforcement of the provisions of this title by the Department and the Secretary; and

"(B) remedies for breach of the provisions referred to in paragraph (1).

"(b) PERIODIC MONITORING.—

"(1) IN GENERAL.—Not less frequently than annually, the Director shall review the activities conducted and housing assisted under this title to assess compliance with the requirements of this title.

"(2) REVIEW.—Each review under paragraph (1) shall include onsite inspection of housing to determine compliance with applicable requirements.

"(3) RESULTS.—The results of each review under paragraph (1) shall be—

"(A) included in a performance report of the Director submitted to the Secretary under section 820; and

"(B) made available to the public.

"(c) PERFORMANCE MEASURES.—The Secretary shall establish such performance measures as may be necessary to assess compliance with the requirements of this title.

"SEC. 820. PERFORMANCE REPORTS.

"(a) REQUIREMENT.—For each fiscal year, the Director shall—

"(1) review the progress the Department has made during that fiscal year in carrying out the housing plan submitted by the Department under section 803; and

"(2) submit a report to the Secretary (in a form acceptable to the Secretary) describing the conclusions of the review.

"(b) CONTENT.—Each report submitted under this section for a fiscal year shall—

"(1) describe the use of grant amounts provided to the Department of Hawaiian Home Lands for that fiscal year;

"(2) assess the relationship of the use referred to in paragraph (1) to the goals identified in the housing plan;

"(3) indicate the programmatic accomplishments of the Department; and

"(4) describe the manner in which the Department would change its housing plan submitted under section 803 as a result of its experiences.

"(c) SUBMISSIONS.—The Secretary shall—

"(1) establish a date for submission of each report under this section;

"(2) review each such report; and

"(3) with respect to each such report, make recommendations as the Secretary considers appropriate to carry out the purposes of this title.

"(d) PUBLIC AVAILABILITY.—

"(1) COMMENTS BY BENEFICIARIES.—In preparing a report under this section, the Director shall make the report publicly available to the beneficiaries of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.) and give a sufficient amount of time to permit those beneficiaries to comment on that report before it is submitted to the Secretary (in such manner and at such time as the Director may determine).

"(2) SUMMARY OF COMMENTS.—The report shall include a summary of any comments received by the Director from beneficiaries under paragraph (1) regarding the program to carry out the housing plan.

"SEC. 821. REVIEW AND AUDIT BY SECRETARY.

"(a) ANNUAL REVIEW.—

"(1) IN GENERAL.—The Secretary shall, not less frequently than on an annual basis,

make such reviews and audits as may be necessary or appropriate to determine whether—

"(A) the Director has—

"(i) carried out eligible activities under this title in a timely manner;

"(ii) carried out and made certifications in accordance with the requirements and the primary objectives of this title and with other applicable laws; and

"(iii) a continuing capacity to carry out the eligible activities in a timely manner;

"(B) the Director has complied with the housing plan submitted by the Director under section 803; and

"(C) the performance reports of the Department under section 821 are accurate.

"(2) ONSITE VISITS.—Each review conducted under this section shall, to the extent practicable, include onsite visits by employees of the Department of Housing and Urban Development.

"(b) REPORT BY SECRETARY.—The Secretary shall give the Department of Hawaiian Home Lands not less than 30 days to review and comment on a report under this subsection. After taking into consideration the comments of the Department, the Secretary may revise the report and shall make the comments of the Department and the report with any revisions, readily available to the public not later than 30 days after receipt of the comments of the Department.

"(c) EFFECT OF REVIEWS.—The Secretary may make appropriate adjustments in the amount of annual grants under this title in accordance with the findings of the Secretary pursuant to reviews and audits under this section. The Secretary may adjust, reduce, or withdraw grant amounts, or take other action as appropriate in accordance with the reviews and audits of the Secretary under this section, except that grant amounts already expended on affordable housing activities may not be recaptured or deducted from future assistance provided to the Department of Hawaiian Home Lands.

"SEC. 822. GENERAL ACCOUNTING OFFICE AUDITS.

"To the extent that the financial transactions of the Department of Hawaiian Home Lands involving grant amounts under this title relate to amounts provided under this title, those transactions may be audited by the Comptroller General of the United States under such regulations as may be prescribed by the Comptroller General. The Comptroller General of the United States shall have access to all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by the Department of Hawaiian Home Lands pertaining to such financial transactions and necessary to facilitate the audit.

"SEC. 823. REPORTS TO CONGRESS.

"(a) IN GENERAL.—Not later than 90 days after the conclusion of each fiscal year in which assistance under this title is made available, the Secretary shall submit to Congress a report that contains—

"(1) a description of the progress made in accomplishing the objectives of this title;

"(2) a summary of the use of funds available under this title during the preceding fiscal year; and

"(3) a description of the aggregate outstanding loan guarantees under section 184A of the Housing and Community Development Act of 1992.

"(b) RELATED REPORTS.—The Secretary may require the Director to submit to the Secretary such reports and other information as may be necessary in order for the Secretary to prepare the report required under subsection (a).

"SEC. 824. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Department of Housing and Urban De-

velopment for grants under this title such sums as may be necessary for each of fiscal years 2001, 2002, 2003, 2004, and 2005."

SEC. 514. LOAN GUARANTEES.

Subtitle E of title I of the Housing and Community Development Act of 1992 is amended by inserting after section 184 (12 U.S.C. 1715z-13a) the following:

"SEC. 184A. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

"(a) DEFINITIONS.—In this section:

"(1) DEPARTMENT OF HAWAIIAN HOME LANDS.—The term 'Department of Hawaiian Home Lands' means the agency or department of the government of the State of Hawaii that is responsible for the administration of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et seq.).

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a Native Hawaiian family, the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and private nonprofit or private for-profit organizations experienced in the planning and development of affordable housing for Native Hawaiians.

"(3) FAMILY.—The term 'family' means one or more persons maintaining a household, as the Secretary shall by regulation provide.

"(4) GUARANTEE FUND.—The term 'Guarantee Fund' means the Native Hawaiian Housing Loan Guarantee Fund established under subsection (i).

"(5) HAWAIIAN HOME LANDS.—The term 'Hawaiian Home Lands' means lands that—

"(A) have the status of Hawaiian Home Lands under section 204 of the Hawaiian Homes Commission Act (42 Stat. 110); or

"(B) are acquired pursuant to that Act.

"(6) NATIVE HAWAIIAN.—The term 'Native Hawaiian' means any individual who is—

"(A) a citizen of the United States; and

"(B) a descendant of the aboriginal people, who, prior to 1778, occupied and exercised sovereignty in the area that currently constitutes the State of Hawaii, as evidenced by—

"(i) genealogical records;

"(ii) verification by kupuna (elders) or kama'aina (long-term community residents); or

"(iii) birth records of the State of Hawaii.

"(7) OFFICE OF HAWAIIAN AFFAIRS.—The term 'Office of Hawaiian Affairs' means the entity of that name established under the constitution of the State of Hawaii.

"(b) AUTHORITY.—To provide access to sources of private financing to Native Hawaiian families who otherwise could not acquire housing financing because of the unique legal status of the Hawaiian Home Lands or as a result of a lack of access to private financial markets, the Secretary may guarantee an amount not to exceed 100 percent of the unpaid principal and interest that is due on an eligible loan under subsection (b).

"(c) ELIGIBLE LOANS.—Under this section, a loan is an eligible loan if that loan meets the following requirements:

"(1) ELIGIBLE BORROWERS.—The loan is made only to a borrower who is—

"(A) a Native Hawaiian family;

"(B) the Department of Hawaiian Home Lands;

"(C) the Office of Hawaiian Affairs; or

"(D) a private nonprofit organization experienced in the planning and development of affordable housing for Native Hawaiians.

"(2) ELIGIBLE HOUSING.—

"(A) IN GENERAL.—The loan will be used to construct, acquire, or rehabilitate not more than 4-family dwellings that are standard housing and are located on Hawaiian Home Lands for which a housing plan described in subparagraph (B) applies.

"(B) HOUSING PLAN.—A housing plan described in this subparagraph is a housing plan that—

"(i) has been submitted and approved by the Secretary under section 803 of the Native American Housing Assistance and Self-Determination Act of 1996; and

"(ii) provides for the use of loan guarantees under this section to provide affordable homeownership housing on Hawaiian Home Lands.

"(3) SECURITY.—The loan may be secured by any collateral authorized under applicable Federal or State law.

"(4) LENDERS.—

"(A) IN GENERAL.—The loan shall be made only by a lender approved by, and meeting qualifications established by, the Secretary, including any lender described in subparagraph (B), except that a loan otherwise insured or guaranteed by an agency of the Federal Government or made by the Department of Hawaiian Home Lands from amounts borrowed from the United States shall not be eligible for a guarantee under this section.

"(B) APPROVAL.—The following lenders shall be considered to be lenders that have been approved by the Secretary:

"(i) Any mortgagee approved by the Secretary for participation in the single family mortgage insurance program under title II of the National Housing Act (12 U.S.C.A. 1707 et seq.).

"(ii) Any lender that makes housing loans under chapter 37 of title 38, United States Code, that are automatically guaranteed under section 3702(d) of title 38, United States Code.

"(iii) Any lender approved by the Secretary of Agriculture to make guaranteed loans for single family housing under the Housing Act of 1949 (42 U.S.C.A. 1441 et seq.).

"(iv) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government.

"(5) TERMS.—The loan shall—

"(A) be made for a term not exceeding 30 years;

"(B) bear interest (exclusive of the guarantee fee under subsection (d) and service charges, if any) at a rate agreed upon by the borrower and the lender and determined by the Secretary to be reasonable, but not to exceed the rate generally charged in the area (as determined by the Secretary) for home mortgage loans not guaranteed or insured by any agency or instrumentality of the Federal Government;

"(C) involve a principal obligation not exceeding—

"(i) 97.75 percent of the appraised value of the property as of the date the loan is accepted for guarantee (or 98.75 percent if the value of the property is \$50,000 or less); or

"(ii) the amount approved by the Secretary under this section; and

"(D) involve a payment on account of the property—

"(i) in cash or its equivalent; or

"(ii) through the value of any improvements to the property made through the skilled or unskilled labor of the borrower, as the Secretary shall provide.

"(d) CERTIFICATE OF GUARANTEE.—

"(1) APPROVAL PROCESS.—

"(A) IN GENERAL.—Before the Secretary approves any loan for guarantee under this section, the lender shall submit the application for the loan to the Secretary for examination.

"(B) APPROVAL.—If the Secretary approves the application submitted under subparagraph (A), the Secretary shall issue a certificate under this subsection as evidence of the loan guarantee approved.

"(2) STANDARD FOR APPROVAL.—The Secretary may approve a loan for guarantee under this section and issue a certificate under this subsection only if the Secretary determines that there is a reasonable prospect of repayment of the loan.

"(3) EFFECT.—

"(A) IN GENERAL.—A certificate of guarantee issued under this subsection by the Secretary shall be conclusive evidence of the eligibility of the loan for guarantee under this section and the amount of that guarantee.

"(B) EVIDENCE.—The evidence referred to in subparagraph (A) shall be incontestable in the hands of the bearer.

"(C) FULL FAITH AND CREDIT.—The full faith and credit of the United States is pledged to the payment of all amounts agreed to be paid by the Secretary as security for the obligations made by the Secretary under this section.

"(4) FRAUD AND MISREPRESENTATION.—This subsection may not be construed—

"(A) to preclude the Secretary from establishing defenses against the original lender based on fraud or material misrepresentation; or

"(B) to bar the Secretary from establishing by regulations that are on the date of issuance or disbursement, whichever is earlier, partial defenses to the amount payable on the guarantee.

"(e) GUARANTEE FEE.—

"(1) IN GENERAL.—The Secretary shall fix and collect a guarantee fee for the guarantee of a loan under this section, which may not exceed the amount equal to 1 percent of the principal obligation of the loan.

"(2) PAYMENT.—The fee under this subsection shall—

"(A) be paid by the lender at time of issuance of the guarantee; and

"(B) be adequate, in the determination of the Secretary, to cover expenses and probable losses.

"(3) DEPOSIT.—The Secretary shall deposit any fees collected under this subsection in the Native Hawaiian Housing Loan Guarantee Fund established under subsection (j).

"(f) LIABILITY UNDER GUARANTEE.—The liability under a guarantee provided under this section shall decrease or increase on a pro rata basis according to any decrease or increase in the amount of the unpaid obligation under the provisions of the loan agreement involved.

"(g) TRANSFER AND ASSUMPTION.—Notwithstanding any other provision of law, any loan guaranteed under this section, including the security given for the loan, may be sold or assigned by the lender to any financial institution subject to examination and supervision by an agency of the Federal Government or of any State or the District of Columbia.

"(h) DISQUALIFICATION OF LENDERS AND CIVIL MONEY PENALTIES.—

"(1) IN GENERAL.—

"(A) GROUNDS FOR ACTION.—The Secretary may take action under subparagraph (B) if the Secretary determines that any lender or holder of a guarantee certificate under subsection (c)—

"(i) has failed—

"(I) to maintain adequate accounting records;

"(II) to service adequately loans guaranteed under this section; or

"(III) to exercise proper credit or underwriting judgment; or

"(ii) has engaged in practices otherwise detrimental to the interest of a borrower or the United States.

"(B) ACTIONS.—Upon a determination by the Secretary that a holder of a guarantee certificate under subsection (c) has failed to carry out an activity described in subparagraph (A)(i) or has engaged in practices described in subparagraph (A)(ii), the Secretary may—

"(i) refuse, either temporarily or permanently, to guarantee any further loans made by such lender or holder;

"(ii) bar such lender or holder from acquiring additional loans guaranteed under this section; and

"(iii) require that such lender or holder assume not less than 10 percent of any loss on further loans made or held by the lender or holder that are guaranteed under this section.

"(2) CIVIL MONEY PENALTIES FOR INTENTIONAL VIOLATIONS.—

"(A) IN GENERAL.—The Secretary may impose a civil monetary penalty on a lender or holder of a guarantee certificate under subsection (d) if the Secretary determines that the holder or lender has intentionally failed—

"(i) to maintain adequate accounting records;

"(ii) to adequately service loans guaranteed under this section; or

"(iii) to exercise proper credit or underwriting judgment.

"(B) PENALTIES.—A civil monetary penalty imposed under this paragraph shall be imposed in the manner and be in an amount provided under section 536 of the National Housing Act (12 U.S.C.A. 1735f-1) with respect to mortgagees and lenders under that Act.

"(3) PAYMENT ON LOANS MADE IN GOOD FAITH.—Notwithstanding paragraphs (1) and (2), if a loan was made in good faith, the Secretary may not refuse to pay a lender or holder of a valid guarantee on that loan, without regard to whether the lender or holder is barred under this subsection.

"(i) PAYMENT UNDER GUARANTEE.—

"(1) LENDER OPTIONS.—

"(A) IN GENERAL.—

"(i) NOTIFICATION.—If a borrower on a loan guaranteed under this section defaults on the loan, the holder of the guarantee certificate shall provide written notice of the default to the Secretary.

"(ii) PAYMENT.—Upon providing the notice required under clause (i), the holder of the guarantee certificate shall be entitled to payment under the guarantee (subject to the provisions of this section) and may proceed to obtain payment in one of the following manners:

"(I) FORECLOSURE.—

"(aa) IN GENERAL.—The holder of the certificate may initiate foreclosure proceedings (after providing written notice of that action to the Secretary).

"(bb) PAYMENT.—Upon a final order by the court authorizing foreclosure and submission to the Secretary of a claim for payment under the guarantee, the Secretary shall pay to the holder of the certificate the pro rata portion of the amount guaranteed (as determined pursuant to subsection (f)) plus reasonable fees and expenses as approved by the Secretary.

"(cc) SUBROGATION.—The rights of the Secretary shall be subrogated to the rights of the holder of the guarantee. The holder shall assign the obligation and security to the Secretary.

"(II) NO FORECLOSURE.—

"(aa) IN GENERAL.—Without seeking foreclosure (or in any case in which a foreclosure proceeding initiated under clause (i) continues for a period in excess of 1 year), the holder of the guarantee may submit to the Secretary a request to assign the obligation and security interest to the Secretary in return for payment of the claim under the guarantee. The Secretary may accept assignment of the loan if the Secretary determines that the assignment is in the best interest of the United States.

"(bb) PAYMENT.—Upon assignment, the Secretary shall pay to the holder of the guarantee the pro rata portion of the amount guaranteed (as determined under subsection (f)).

“(cc) SUBROGATION.—The rights of the Secretary shall be subrogated to the rights of the holder of the guarantee. The holder shall assign the obligation and security to the Secretary.

“(B) REQUIREMENTS.—Before any payment under a guarantee is made under subparagraph (A), the holder of the guarantee shall exhaust all reasonable possibilities of collection. Upon payment, in whole or in part, to the holder, the note or judgment evidencing the debt shall be assigned to the United States and the holder shall have no further claim against the borrower or the United States. The Secretary shall then take such action to collect as the Secretary determines to be appropriate.

“(2) LIMITATIONS ON LIQUIDATION.—

“(A) IN GENERAL.—If a borrower defaults on a loan guaranteed under this section that involves a security interest in restricted Hawaiian Home Land property, the mortgagee or the Secretary shall only pursue liquidation after offering to transfer the account to another eligible Hawaiian family or the Department of Hawaiian Home Lands.

“(B) LIMITATION.—If, after action is taken under subparagraph (A), the mortgagee or the Secretary subsequently proceeds to liquidate the account, the mortgagee or the Secretary shall not sell, transfer, or otherwise dispose of or alienate the property described in subparagraph (A) except to another eligible Hawaiian family or to the Department of Hawaiian Home Lands.

“(j) HAWAIIAN HOUSING LOAN GUARANTEE FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States the Hawaiian Housing Loan Guarantee Fund for the purpose of providing loan guarantees under this section.

“(2) CREDITS.—The Guarantee Fund shall be credited with—

“(A) any amount, claims, notes, mortgages, contracts, and property acquired by the Secretary under this section, and any collections and proceeds therefrom;

“(B) any amounts appropriated pursuant to paragraph (7);

“(C) any guarantee fees collected under subsection (d); and

“(D) any interest or earnings on amounts invested under paragraph (4).

“(3) USE.—Amounts in the Guarantee Fund shall be available, to the extent provided in appropriations Acts, for—

“(A) fulfilling any obligations of the Secretary with respect to loans guaranteed under this section, including the costs (as that term is defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) of such loans;

“(B) paying taxes, insurance, prior liens, expenses necessary to make fiscal adjustment in connection with the application and transmittal of collections, and other expenses and advances to protect the Secretary for loans which are guaranteed under this section or held by the Secretary;

“(C) acquiring such security property at foreclosure sales or otherwise;

“(D) paying administrative expenses in connection with this section; and

“(E) reasonable and necessary costs of rehabilitation and repair to properties that the Secretary holds or owns pursuant to this section.

“(4) INVESTMENT.—Any amounts in the Guarantee Fund determined by the Secretary to be in excess of amounts currently required at the time of the determination to carry out this section may be invested in obligations of the United States.

“(5) LIMITATION ON COMMITMENTS TO GUARANTEE LOANS AND MORTGAGES.—

“(A) REQUIREMENT OF APPROPRIATIONS.—The authority of the Secretary to enter into

commitments to guarantee loans under this section shall be effective for any fiscal year to the extent, or in such amounts as are, or have been, provided in appropriations Acts, without regard to the fiscal year for which such amounts were appropriated.

“(B) LIMITATIONS ON COSTS OF GUARANTEES.—The authority of the Secretary to enter into commitments to guarantee loans under this section shall be effective for any fiscal year only to the extent that amounts in the Guarantee Fund are or have been made available in appropriations Acts to cover the costs (as that term is defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) of such loan guarantees for such fiscal year. Any amounts appropriated pursuant to this subparagraph shall remain available until expended.

“(C) LIMITATION ON OUTSTANDING AGGREGATE PRINCIPAL AMOUNT.—Subject to the limitations in subparagraphs (A) and (B), the Secretary may enter into commitments to guarantee loans under this section for each of fiscal years 2001, 2002, 2003, 2004, and 2005 with an aggregate outstanding principal amount not exceeding \$100,000,000 for each such fiscal year.

“(6) LIABILITIES.—All liabilities and obligations of the assets credited to the Guarantee Fund under paragraph (2)(A) shall be liabilities and obligations of the Guarantee Fund.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Guarantee Fund to carry out this section such sums as may be necessary for each of fiscal years 2001, 2002, 2003, 2004, and 2005.

“(k) REQUIREMENTS FOR STANDARD HOUSING.—

“(1) IN GENERAL.—The Secretary shall, by regulation, establish housing safety and quality standards to be applied for use under this section.

“(2) STANDARDS.—The standards referred to in paragraph (1) shall—

“(A) provide sufficient flexibility to permit the use of various designs and materials in housing acquired with loans guaranteed under this section; and

“(B) require each dwelling unit in any housing acquired in the manner described in subparagraph (A) to—

“(i) be decent, safe, sanitary, and modest in size and design;

“(ii) conform with applicable general construction standards for the region in which the housing is located;

“(iii) contain a plumbing system that—

“(I) uses a properly installed system of piping;

“(II) includes a kitchen sink and a partitioned bathroom with lavatory, toilet, and bath or shower; and

“(III) uses water supply, plumbing, and sewage disposal systems that conform to any minimum standards established by the applicable county or State;

“(iv) contain an electrical system using wiring and equipment properly installed to safely supply electrical energy for adequate lighting and for operation of appliances that conforms to any appropriate county, State, or national code;

“(v) be not less than the size provided under the applicable locally adopted standards for size of dwelling units, except that the Secretary, upon request of the Department of Hawaiian Home Lands may waive the size requirements under this paragraph; and

“(vi) conform with the energy performance requirements for new construction established by the Secretary under section 526(a) of the National Housing Act (12 U.S.C.A. 1735f-4), unless the Secretary determines that the requirements are not applicable.

“(l) APPLICABILITY OF CIVIL RIGHTS STATUTES.—To the extent that the requirements

of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) or of the Fair Housing Act (42 U.S.C.A. 3601 et seq.) apply to a guarantee provided under this subsection, nothing in the requirements concerning discrimination on the basis of race shall be construed to prevent the provision of the guarantee to an eligible entity on the basis that the entity serves Native Hawaiian families or is a Native Hawaiian family.”.

TITLE VI—MANUFACTURED HOUSING IMPROVEMENT

SEC. 601. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This title may be cited as the “Manufactured Housing Improvement Act of 2000”.

(b) REFERENCES.—Whenever in this title an amendment is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to that section or other provision of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.).

SEC. 602. FINDINGS AND PURPOSES.

Section 602 (42 U.S.C. 5401) is amended to read as follows:

“SEC. 602. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds that—

“(1) manufactured housing plays a vital role in meeting the housing needs of the Nation; and

“(2) manufactured homes provide a significant resource for affordable homeownership and rental housing accessible to all Americans.

“(b) PURPOSES.—The purposes of this title are—

“(1) to protect the quality, durability, safety, and affordability of manufactured homes;

“(2) to facilitate the availability of affordable manufactured homes and to increase homeownership for all Americans;

“(3) to provide for the establishment of practical, uniform, and, to the extent possible, performance-based Federal construction standards for manufactured homes;

“(4) to encourage innovative and cost-effective construction techniques for manufactured homes;

“(5) to protect residents of manufactured homes with respect to personal injuries and the amount of insurance costs and property damages in manufactured housing, consistent with the other purposes of this section;

“(6) to establish a balanced consensus process for the development, revision, and interpretation of Federal construction and safety standards for manufactured homes and related regulations for the enforcement of such standards;

“(7) to ensure uniform and effective enforcement of Federal construction and safety standards for manufactured homes; and

“(8) to ensure that the public interest in, and need for, affordable manufactured housing is duly considered in all determinations relating to the Federal standards and their enforcement.”.

SEC. 603. DEFINITIONS.

(a) IN GENERAL.—Section 603 (42 U.S.C. 5402) is amended—

(1) in paragraph (2), by striking “dealer” and inserting “retailer”;

(2) in paragraph (12), by striking “and” at the end;

(3) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(14) ‘administering organization’ means the recognized, voluntary, private sector, consensus standards body with specific experience in developing model residential building codes and standards involving all disciplines regarding construction and safety

that administers the consensus standards through a development process;

"(15) 'consensus committee' means the committee established under section 604(a)(3);

"(16) 'consensus standards development process' means the process by which additions, revisions, and interpretations to the Federal manufactured home construction and safety standards and enforcement regulations shall be developed and recommended to the Secretary by the consensus committee;

"(17) 'primary inspection agency' means a State agency or private organization that has been approved by the Secretary to act as a design approval primary inspection agency or a production inspection primary inspection agency, or both;

"(18) 'design approval primary inspection agency' means a State agency or private organization that has been approved by the Secretary to evaluate and either approve or disapprove manufactured home designs and quality control procedures;

"(19) 'installation standards' means reasonable specifications for the installation of a manufactured home, at the place of occupancy, to ensure proper siting, the joining of all sections of the home, and the installation of stabilization, support, or anchoring systems;

"(20) 'monitoring' means the process of periodic review of the primary inspection agencies, by the Secretary or by a State agency under an approved State plan pursuant to section 623, in accordance with regulations promulgated under this title, giving due consideration to the recommendations of the consensus committee under section 604(b), which process shall be for the purpose of ensuring that the primary inspection agencies are discharging their duties under this title; and

"(21) 'production inspection primary inspection agency' means a State agency or private organization that has been approved by the Secretary to evaluate the ability of manufactured home manufacturing plants to comply with approved quality control procedures and with the Federal manufactured home construction and safety standards promulgated hereunder, including the inspection of homes in the plant."

(b) CONFORMING AMENDMENTS.—The National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.) is amended—

(1) in section 613 (42 U.S.C. 5412), by striking "dealer" each place it appears and inserting "retailer";

(2) in section 614(f) (42 U.S.C. 5413(f)), by striking "dealer" each place it appears and inserting "retailer";

(3) in section 615 (42 U.S.C. 5414)—

(A) in subsection (b)(1), by striking "dealer" and inserting "retailer";

(B) in subsection (b)(3), by striking "dealer or dealers" and inserting "retailer or retailers"; and

(C) in subsections (d) and (f), by striking "dealers" each place it appears and inserting "retailers";

(4) in section 616 (42 U.S.C. 5415), by striking "dealer" and inserting "retailer"; and

(5) in section 623(c)(9), by striking "dealers" and inserting "retailers".

SEC. 604. FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS.

Section 604 (42 U.S.C. 5403) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) ESTABLISHMENT.—

"(1) AUTHORITY.—The Secretary shall establish, by order, appropriate Federal manufactured home construction and safety standards, each of which—

"(A) shall—

"(i) be reasonable and practical;

"(ii) meet high standards of protection consistent with the purposes of this title; and

"(iii) be performance-based and objectively stated, unless clearly inappropriate; and

"(B) except as provided in subsection (b), shall be established in accordance with the consensus standards development process.

"(2) CONSENSUS STANDARDS AND REGULATORY DEVELOPMENT PROCESS.—

"(A) INITIAL AGREEMENT.—Not later than 180 days after the date of enactment of the Manufactured Housing Improvement Act of 2000, the Secretary shall enter into a contract with an administering organization. The contractual agreement shall—

"(i) terminate on the date on which a contract is entered into under subparagraph (B); and

"(ii) require the administering organization to—

"(I) recommend the initial members of the consensus committee under paragraph (3);

"(II) administer the consensus standards development process until the termination of that agreement; and

"(III) administer the consensus development and interpretation process for procedural and enforcement regulations and regulations specifying the permissible scope and conduct of monitoring until the termination of that agreement.

"(B) COMPETITIVELY PROCURED CONTRACT.—Upon the expiration of the 4-year period beginning on the date on which all members of the consensus committee are appointed under paragraph (3), the Secretary shall, using competitive procedures (as such term is defined in section 4 of the Office of Federal Procurement Policy Act), enter into a competitively awarded contract with an administering organization. The administering organization shall administer the consensus process for the development and interpretation of the Federal standards, the procedural and enforcement regulations, and regulations specifying the permissible scope and conduct of monitoring, in accordance with this title.

"(C) PERFORMANCE REVIEW.—The Secretary—

"(i) shall periodically review the performance of the administering organization; and

"(ii) may replace the administering organization with another qualified technical or building code organization, pursuant to competitive procedures, if the Secretary determines in writing that the administering organization is not fulfilling the terms of the agreement or contract to which the administering organization is subject or upon the expiration of the agreement or contract.

"(3) CONSENSUS COMMITTEE.—

"(A) PURPOSE.—There is established a committee to be known as the 'consensus committee', which shall, in accordance with this title—

"(i) provide periodic recommendations to the Secretary to adopt, revise, and interpret the Federal manufactured housing construction and safety standards in accordance with this subsection;

"(ii) provide periodic recommendations to the Secretary to adopt, revise, and interpret the procedural and enforcement regulations, including regulations specifying the permissible scope and conduct of monitoring in accordance with subsection (b);

"(iii) be organized and carry out its business in a manner that guarantees a fair opportunity for the expression and consideration of various positions and for public participation; and

"(iv) be deemed to be an advisory committee not composed of Federal employees.

"(B) MEMBERSHIP.—The consensus committee shall be composed of—

"(i) 21 voting members appointed by the Secretary, after consideration of the recommendations of the administering organization, from among individuals who are qualified by background and experience to participate in the work of the consensus committee; and

"(ii) 1 nonvoting member appointed by the Secretary to represent the Secretary on the consensus committee.

"(C) DISAPPROVAL.—The Secretary shall state, in writing, the reasons for failing to appoint any individual recommended under paragraph (2)(A)(ii)(I).

"(D) SELECTION PROCEDURES AND REQUIREMENTS.—Each member of the consensus committee shall be appointed in accordance with selection procedures, which shall be based on the procedures for consensus committees promulgated by the American National Standards Institute (or successor organization), except that the American National Standards Institute interest categories shall be modified for purposes of this paragraph to ensure equal representation on the consensus committee of the following interest categories:

"(i) PRODUCERS.—Seven producers or retailers of manufactured housing.

"(ii) USERS.—Seven persons representing consumer interests, such as consumer organizations, recognized consumer leaders, and owners who are residents of manufactured homes.

"(iii) GENERAL INTEREST AND PUBLIC OFFICIALS.—Seven general interest and public official members.

"(E) BALANCING OF INTERESTS.—

"(i) IN GENERAL.—In order to achieve a proper balance of interests on the consensus committee, the Secretary, in appointing the members of the consensus committee—

"(I) shall ensure that all directly and materially affected interests have the opportunity for fair and equitable participation without dominance by any single interest; and

"(II) may reject the appointment of any 1 or more individuals in order to ensure that there is not dominance by any single interest.

"(ii) DOMINANCE DEFINED.—In this subparagraph, the term 'dominance' means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation.

"(F) ADDITIONAL QUALIFICATIONS.—

"(i) FINANCIAL INDEPENDENCE.—No individual appointed under subparagraph (D)(ii) shall have, and 3 of the individuals appointed under subparagraph (D)(iii) shall not have—

"(I) a significant financial interest in any segment of the manufactured housing industry; or

"(II) a significant relationship to any person engaged in the manufactured housing industry.

"(ii) POST-EMPLOYMENT BAN.—Each individual described in clause (i) shall be subject to a ban disallowing compensation from the manufactured housing industry during the period of, and during the 1-year following, the membership of the individual on the consensus committee.

"(G) MEETINGS.—

"(i) NOTICE; OPEN TO PUBLIC.—The consensus committee shall provide advance notice of each meeting of the consensus committee to the Secretary and cause to be published in the Federal Register advance notice of each such meeting. All meetings of the consensus committee shall be open to the public.

“(ii) REIMBURSEMENT.—Members of the consensus committee in attendance at meetings of the consensus committee shall be reimbursed for their actual expenses as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in Government service.

“(H) ADMINISTRATION.—The consensus committee and the administering organization shall—

“(i) operate in conformance with the procedures established by the American National Standards Institute for the development and coordination of American National Standards; and

“(ii) apply to the American National Standards Institute and take such other actions as may be necessary to obtain accreditation from the American National Standards Institute.

“(I) STAFF AND TECHNICAL SUPPORT.—The administering organization shall, upon the request of the consensus committee—

“(i) provide reasonable staff resources to the consensus committee; and

“(ii) furnish technical support in a timely manner to any of the interest categories described in subparagraph (D) represented on the consensus committee, if—

“(I) the support is necessary to ensure the informed participation of the consensus committee members; and

“(II) the costs of providing the support are reasonable.

“(J) DATE OF INITIAL APPOINTMENTS.—The initial appointments of all of the members of the consensus committee shall be completed not later than 90 days after the date on which a contractual agreement under paragraph (2)(A) is entered into with the administering organization.

“(4) REVISIONS OF STANDARDS.—

“(A) IN GENERAL.—Beginning on the date on which all members of the consensus committee are appointed under paragraph (3), the consensus committee shall, not less than once during each 2-year period—

“(i) consider revisions to the Federal manufactured home construction and safety standards; and

“(ii) submit proposed revised standards, if approved in a vote of the consensus committee by $\frac{2}{3}$ of the members, to the Secretary in the form of a proposed rule, including an economic analysis.

“(B) PUBLICATION OF PROPOSED REVISED STANDARDS.—

“(i) PUBLICATION BY SECRETARY.—The consensus committee shall provide a proposed revised standard under subparagraph (A)(ii) to the Secretary who shall, not later than 30 days after receipt, cause such proposed revised standard to be published in the Federal Register for notice and comment in accordance with section 553 of title 5, United States Code. Unless clause (ii) applies, the Secretary shall provide an opportunity for public comment on such proposed revised standard in accordance with such section 553 and any such comments shall be submitted directly to the consensus committee, without delay.

“(ii) PUBLICATION OF REJECTED PROPOSED REVISED STANDARDS.—If the Secretary rejects the proposed revised standard, the Secretary shall cause to be published in the Federal Register the rejected proposed revised standard, the reasons for rejection, and any recommended modifications set forth.

“(C) PRESENTATION OF PUBLIC COMMENTS; PUBLICATION OF RECOMMENDED REVISIONS.—

“(i) PRESENTATION.—Any public comments, views, and objections to a proposed revised standard published under subparagraph (B) shall be presented by the Secretary to the consensus committee upon their receipt and in the manner received, in accordance with

procedures established by the American National Standards Institute.

“(ii) PUBLICATION BY THE SECRETARY.—The consensus committee shall provide to the Secretary any revision proposed by the consensus committee, which the Secretary shall, not later than 30 calendar days after receipt, cause to be published in the Federal Register a notice of the recommended revisions of the consensus committee to the standards, a notice of the submission of the recommended revisions to the Secretary, and a description of the circumstances under which the proposed revised standards could become effective.

“(iii) PUBLICATION OF REJECTED PROPOSED REVISED STANDARDS.—If the Secretary rejects the proposed revised standard, the Secretary shall cause to be published in the Federal Register the rejected proposed revised standard, the reasons for rejection, and any recommended modifications set forth.

“(5) REVIEW BY THE SECRETARY.—

“(A) IN GENERAL.—The Secretary shall either adopt, modify, or reject a standard, as submitted by the consensus committee under paragraph (4)(A).

“(B) TIMING.—Not later than 12 months after the date on which a standard is submitted to the Secretary by the consensus committee, the Secretary shall take action regarding such standard under subparagraph (C).

“(C) PROCEDURES.—If the Secretary—

“(i) adopts a standard recommended by the consensus committee, the Secretary shall—

“(I) issue a final order without further rulemaking; and

“(II) cause the final order to be published in the Federal Register;

“(ii) determines that any standard should be rejected, the Secretary shall—

“(I) reject the standard; and

“(II) cause to be published in the Federal Register a notice to that effect, together with the reason or reasons for rejecting the proposed standard; or

“(iii) determines that a standard recommended by the consensus committee should be modified, the Secretary shall—

“(I) cause to be published in the Federal Register the proposed modified standard, together with an explanation of the reason or reasons for the determination of the Secretary; and

“(II) provide an opportunity for public comment in accordance with section 553 of title 5, United States Code.

“(D) FINAL ORDER.—Any final standard under this paragraph shall become effective pursuant to subsection (c).

“(6) FAILURE TO ACT.—If the Secretary fails to take final action under paragraph (5) and to cause notice of the action to be published in the Federal Register before the expiration of the 12-month period beginning on the date on which the proposed revised standard is submitted to the Secretary under paragraph (4)(A)—

“(A) the Secretary shall appear in person before the appropriate housing and appropriations subcommittees and committees of the House of Representatives and the Senate (referred to in this paragraph as the ‘committees’) on a date or dates to be specified by the committees, but in no event later than 30 days after the expiration of that 12-month period, and shall state before the committees the reasons for failing to take final action as required under paragraph (5); and

“(B) if the Secretary does not appear in person as required under subparagraph (A), the Secretary shall thereafter, and until such time as the Secretary does appear as required under subparagraph (A), be prohibited from expending any funds collected under authority of this title in an amount greater than that collected and expended in the fis-

cal year immediately preceding the date of enactment of the Manufactured Housing Improvement Act of 2000, indexed for inflation as determined by the Congressional Budget Office.

“(b) OTHER ORDERS.—

“(1) REGULATIONS.—The Secretary may issue procedural and enforcement regulations and revisions to existing regulations as necessary to implement the provisions of this title. The consensus committee may submit to the Secretary proposed procedural and enforcement regulations and recommendations for the revision of such regulations.

“(2) INTERPRETATIVE BULLETINS.—The Secretary may issue interpretative bulletins to clarify the meaning of any Federal manufactured home construction and safety standard or procedural and enforcement regulation. The consensus committee may submit to the Secretary proposed interpretative bulletins to clarify the meaning of any Federal manufactured home construction and safety standard or procedural and enforcement regulation.

“(3) REVIEW BY CONSENSUS COMMITTEE.—Before issuing a procedural or enforcement regulation or an interpretative bulletin—

“(A) the Secretary shall—

“(i) submit the proposed procedural or enforcement regulation or interpretative bulletin to the consensus committee; and

“(ii) provide the consensus committee with a period of 120 days to submit written comments to the Secretary on the proposed procedural or enforcement regulation or the interpretative bulletin; and

“(B) if the Secretary rejects any significant comment provided by the consensus committee under subparagraph (A), the Secretary shall provide a written explanation of the reasons for the rejection to the consensus committee; and

“(C) following compliance with subparagraphs (A) and (B), the Secretary shall—

“(i) cause the proposed regulation or interpretative bulletin and the consensus committee's written comments, along with the Secretary's response thereto, to be published in the Federal Register; and

“(ii) provide an opportunity for public comment in accordance with section 553 of title 5, United States Code.

“(4) REQUIRED ACTION.—Not later than 120 days after the date on which the Secretary receives a proposed regulation or interpretative bulletin submitted by the consensus committee, the Secretary shall—

“(A) approve the proposal and cause the proposed regulation or interpretative bulletin to be published for public comment in accordance with section 553 of title 5, United States Code; or

“(B) reject the proposed regulation or interpretative bulletin and—

“(i) provide to the consensus committee a written explanation of the reasons for rejection; and

“(ii) cause to be published in the Federal Register the rejected proposed regulation or interpretative bulletin, the reasons for rejection, and any recommended modifications set forth.

“(5) AUTHORITY TO ACT AND EMERGENCY.—If the Secretary determines, in writing, that such action is necessary to address an issue on which the Secretary determines that the consensus committee has not made a timely recommendation following a request by the Secretary, or in order to respond to an emergency that jeopardizes the public health or safety, the Secretary may issue an order that is not developed under the procedures set forth in subsection (a) or in this subsection, if the Secretary—

“(A) provides to the consensus committee a written description and sets forth the reasons why action is necessary and all supporting documentation; and

“(B) issues the order after notice and an opportunity for public comment in accordance with section 553 of title 5, United States Code, and causes the order to be published in the Federal Register.

“(6) CHANGES.—Any statement of policies, practices, or procedures relating to construction and safety standards, regulations, inspections, monitoring, or other enforcement activities that constitutes a statement of general or particular applicability to implementation, interpret, or prescribe law or policy by the Secretary is subject to subsection (a) or this subsection. Any change adopted in violation of subsection (a) or this subsection is void.

“(7) TRANSITION.—Until the date on which the consensus committee is appointed pursuant to section 604(a)(3), the Secretary may issue proposed orders, pursuant to notice and comment in accordance with section 553 of title 5, United States Code, that are not developed under the procedures set forth in this section for new and revised standards.”;

(2) in subsection (d), by adding at the end the following: “Federal preemption under this subsection shall be broadly and liberally construed to ensure that disparate State or local requirements or standards do not affect the uniformity and comprehensiveness of the standards promulgated under this section nor the Federal superintendence of the manufactured housing industry as established by this title. Subject to section 605, there is reserved to each State the right to establish standards for the stabilizing and support systems of manufactured homes sited within that State, and for the foundations on which manufactured homes sited within that State are installed, and the right to enforce compliance with such standards, except that such standards shall be consistent with the purposes of this title and shall be consistent with the design of the manufacturer.”;

(3) by striking subsection (e);

(4) in subsection (f), by striking the subsection designation and all of the matter that precedes paragraph (1) and inserting the following:

“(e) CONSIDERATIONS IN ESTABLISHING AND INTERPRETING STANDARDS AND REGULATIONS.—The consensus committee, in recommending standards, regulations, and interpretations, and the Secretary, in establishing standards or regulations or issuing interpretations under this section, shall—”;

(5) by striking subsection (g);

(6) in the first sentence of subsection (j), by striking “subsection (f)” and inserting “subsection (e)”;

(7) by redesignating subsections (h), (i), and (j), as subsections (f), (g), and (h), respectively.

SEC. 605. ABOLISHMENT OF NATIONAL MANUFACTURED HOME ADVISORY COUNCIL; MANUFACTURED HOME INSTALLATION.

(a) IN GENERAL.—Section 605 (42 U.S.C. 5404) is amended to read as follows:

“SEC. 605. MANUFACTURED HOME INSTALLATION.

“(a) PROVISION OF INSTALLATION DESIGN AND INSTRUCTIONS.—A manufacturer shall provide with each manufactured home, design and instructions for the installation of the manufactured home that have been approved by a design approval primary inspection agency. After establishment of model standards under subsection (b)(2), a design approval primary inspection agency may not give such approval unless a design and instruction provides equal or greater protection than the protection provided under such model standards.

“(b) MODEL MANUFACTURED HOME INSTALLATION STANDARDS.—

“(1) PROPOSED MODEL STANDARDS.—Not later than 18 months after the date on which the initial appointments of all of the members of the consensus committee are completed, the consensus committee shall develop and submit to the Secretary proposed model manufactured home installation standards, which shall, to the maximum extent practicable, taking into account the factors described in section 604(e), be consistent with—

“(A) the manufactured home designs that have been approved by a design approval primary inspection agency; and

“(B) the designs and instructions for the installation of manufactured homes provided by manufacturers under subsection (a).

“(2) ESTABLISHMENT OF MODEL STANDARDS.—Not later than 12 months after receiving the proposed model standards submitted under paragraph (1), the Secretary shall develop and establish model manufactured home installation standards, which shall, to the maximum extent practicable, taking into account the factors described in section 604(e), be consistent with—

“(A) the manufactured home designs that have been approved by a design approval primary inspection agency; and

“(B) the designs and instructions for the installation of manufactured homes provided by manufacturers under subsection (a).

“(3) FACTORS FOR CONSIDERATION.—

“(A) CONSENSUS COMMITTEE.—In developing the proposed model standards under paragraph (1), the consensus committee shall consider the factors described in section 604(e).

“(B) SECRETARY.—In developing and establishing the model standards under paragraph (2), the Secretary shall consider the factors described in section 604(e).

“(4) ISSUANCE.—The model manufactured home installation standards shall be issued after notice and an opportunity for public comment in accordance with section 553 of title 5, United States Code.

“(c) MANUFACTURED HOME INSTALLATION PROGRAMS.—

“(1) PROTECTION OF MANUFACTURED HOUSING RESIDENTS DURING INITIAL PERIOD.—During the 5-year period beginning on the date of enactment of the Manufactured Housing Improvement Act of 2000, no State or manufacturer may establish or implement any installation standards that, in the determination of the Secretary, provide less protection to the residents of manufactured homes than the protection provided by the installation standards in effect with respect to the State or manufacturer, as applicable, on the date of enactment of the Manufactured Housing Improvement Act of 2000.

“(2) INSTALLATION STANDARDS.—

“(A) ESTABLISHMENT OF INSTALLATION PROGRAM.—Not later than the expiration of the 5-year period described in paragraph (1), the Secretary shall establish an installation program that meets the requirements of paragraph (3) for the enforcement of installation standards in each State described in subparagraph (B) of this paragraph.

“(B) IMPLEMENTATION OF INSTALLATION PROGRAM.—Beginning on the expiration of the 5-year period described in paragraph (1), the Secretary shall implement the installation program established under subparagraph (A) in each State that does not have an installation program established by State law that meets the requirements of paragraph (3).

“(C) CONTRACTING OUT OF IMPLEMENTATION.—In carrying out subparagraph (B), the Secretary may contract with an appropriate agent to implement the installation program established under that subparagraph, except that such agent shall not be a person or enti-

ty other than a government, nor an affiliate or subsidiary of such a person or entity, that has entered into a contract with the Secretary to implement any other regulatory program under this title.

“(3) REQUIREMENTS.—An installation program meets the requirements of this paragraph if it is a program regulating the installation of manufactured homes that includes—

“(A) installation standards that, in the determination of the Secretary, provide protection to the residents of manufactured homes that equals or exceeds the protection provided to those residents by—

“(i) the model manufactured home installation standards established by the Secretary under subsection (b)(2); or

“(ii) the designs and instructions provided by manufacturers under subsection (a), if the Secretary determines that such designs and instructions provide protection to the residents of manufactured homes that equals or exceeds the protection provided by the model manufactured home installation standards established by the Secretary under subsection (b)(2);

“(B) the training and licensing of manufactured home installers; and

“(C) inspection of the installation of manufactured homes.”.

(b) CONFORMING AMENDMENTS.—Section 623(c) (42 U.S.C. 5422(c)) is amended—

(1) in paragraph (10), by striking “and” at the end;

(2) by redesignating paragraph (11) as paragraph (13); and

(3) by inserting after paragraph (10) the following:

“(11) with respect to any State plan submitted on or after the expiration of the 5-year period beginning on the date of enactment of the Manufactured Housing Improvement Act of 2000, provides for an installation program established by State law that meets the requirements of section 605(c)(3);”.

SEC. 606. PUBLIC INFORMATION.

Section 607 (42 U.S.C. 5406) is amended—

(1) in subsection (a)—

(A) by inserting “to the Secretary” after “submit”; and

(B) by adding at the end the following: “The Secretary shall submit such cost and other information to the consensus committee for evaluation.”;

(2) in subsection (d), by inserting “, the consensus committee,” after “public”; and

(3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 607. RESEARCH, TESTING, DEVELOPMENT, AND TRAINING.

(a) IN GENERAL.—Section 608(a) (42 U.S.C. 5407(a)) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(4) encouraging the government-sponsored housing entities to actively develop and implement secondary market securitization programs for the FHA manufactured home loans and those of other loan programs, as appropriate, thereby promoting the availability of affordable manufactured homes to increase homeownership for all people in the United States; and

“(5) reviewing the programs for FHA manufactured home loans and developing any changes to such programs to promote the affordability of manufactured homes, including changes in loan terms, amortization periods, regulations, and procedures.”.

(b) DEFINITIONS.—Section 608 (42 U.S.C. 5407) is amended by adding at the end the following:

“(c) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) GOVERNMENT-SPONSORED HOUSING ENTITIES.—The term ‘government-sponsored housing entities’ means the Government National Mortgage Association of the Department of Housing and Urban Development, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation.

“(2) FHA MANUFACTURED HOME LOAN.—The term ‘FHA manufactured home loan’ means a loan that—

“(A) is insured under title I of the National Housing Act and is made for the purpose of financing alterations, repairs, or improvements on or in connection with an existing manufactured home, the purchase of a manufactured home and a lot on which to place the home, or the purchase only of a lot on which to place a manufactured home; or

“(B) is otherwise insured under the National Housing Act and made for or in connection with a manufactured home.”.

SEC. 608. PROHIBITED ACTS.

Section 610(a) (42 U.S.C. 5409(a)) is amended—

(1) in paragraph (5), by striking “or” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new paragraph:

“(7) after the expiration of the period specified in section 605(c)(2)(B), fail to comply with the requirements for the installation program required by section 605 in any State that has not adopted and implemented a State installation program.”.

SEC. 609. FEES.

Section 620 (42 U.S.C. 5419) is amended to read as follows:

“SEC. 620. AUTHORITY TO COLLECT FEE.

“(a) IN GENERAL.—In carrying out inspections under this title, in developing standards and regulations pursuant to section 604, and in facilitating the acceptance of the affordability and availability of manufactured housing within the Department, the Secretary may—

“(1) establish and collect from manufactured home manufacturers a reasonable fee, as may be necessary to offset the expenses incurred by the Secretary in connection with carrying out the responsibilities of the Secretary under this title, including—

“(A) conducting inspections and monitoring;

“(B) providing funding to States for the administration and implementation of approved State plans under section 623, including reasonable funding for cooperative educational and training programs designed to facilitate uniform enforcement under this title, which funds may be paid directly to the States or may be paid or provided to any person or entity designated to receive and disburse such funds by cooperative agreements among participating States, provided that such person or entity is not otherwise an agent of the Secretary under this title;

“(C) providing the funding for a noncareer administrator within the Department to administer the manufactured housing program;

“(D) providing the funding for salaries and expenses of employees of the Department to carry out the manufactured housing program;

“(E) administering the consensus committee as set forth in section 604;

“(F) facilitating the acceptance of the quality, durability, safety, and affordability of manufactured housing within the Department; and

“(G) the administration and enforcement of the installation standards authorized by

section 605 in States in which the Secretary is required to implement an installation program after the expiration of the 5-year period set forth in section 605(c)(2)(B), and the administration and enforcement of a dispute resolution program described in section 623(c)(12) in States in which the Secretary is required to implement such a program after the expiration of the 5-year period set forth in section 623(g)(2); and

“(2) subject to subsection (e), use amounts from any fee collected under paragraph (1) of this subsection to pay expenses referred to in that paragraph, which shall be exempt and separate from any limitations on the Department regarding full-time equivalent positions and travel.

“(b) CONTRACTORS.—In using amounts from any fee collected under this section, the Secretary shall ensure that separate and independent contractors are retained to carry out monitoring and inspection work and any other work that may be delegated to a contractor under this title.

“(c) PROHIBITED USE.—No amount from any fee collected under this section may be used for any purpose or activity not specifically authorized by this title, unless such activity was already engaged in by the Secretary prior to the date of enactment of the Manufactured Housing Improvement Act of 2000.

“(d) MODIFICATION.—Beginning on the date of enactment of the Manufactured Housing Improvement Act of 2000, the amount of any fee collected under this section may only be modified—

“(1) as specifically authorized in advance in an annual appropriations Act; and

“(2) pursuant to rulemaking in accordance with section 553 of title 5, United States Code.

“(e) APPROPRIATION AND DEPOSIT OF FEES.—

“(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘Manufactured Housing Fees Trust Fund’ for deposit of amounts from any fee collected under this section. Such amounts shall be held in trust for use only as provided in this title.

“(2) APPROPRIATION.—Amounts from any fee collected under this section shall be available for expenditure only to the extent approved in advance in an annual appropriations Act. Any change in the expenditure of such amounts shall be specifically authorized in advance in an annual appropriations Act.

“(3) PAYMENTS TO STATES.—On and after the effective date of the Manufactured Housing Improvement Act of 2000, the Secretary shall continue to fund the States having approved State plans in the amounts which are not less than the allocated amounts, based on the fee distribution system in effect on the day before such effective date.”.

SEC. 610. DISPUTE RESOLUTION.

Section 623(c) (42 U.S.C. 5422(c)) is amended—

(1) by inserting after paragraph (11) (as added by the preceding provisions of this title) the following:

“(12) with respect to any State plan submitted on or after the expiration of the 5-year period beginning on the date of enactment of the Manufactured Housing Improvement Act of 2000, provides for a dispute resolution program for the timely resolution of disputes between manufacturers, retailers, and installers of manufactured homes regarding responsibility, and for the issuance of appropriate orders, for the correction or repair of defects in manufactured homes that are reported during the 1-year period beginning on the date of installation; and”; and

(2) by adding at the end the following:

“(g) ENFORCEMENT OF DISPUTE RESOLUTION STANDARDS.—

“(1) ESTABLISHMENT OF DISPUTE RESOLUTION PROGRAM.—Not later than the expiration of the 5-year period beginning on the date of enactment of the Manufactured Housing Improvement Act of 2000, the Secretary shall establish a dispute resolution program that meets the requirements of subsection (c)(12) for dispute resolution in each State described in paragraph (2) of this subsection. The order establishing the dispute resolution program shall be issued after notice and opportunity for public comment in accordance with section 553 of title 5, United States Code.

“(2) IMPLEMENTATION OF DISPUTE RESOLUTION PROGRAM.—Beginning on the expiration of the 5-year period described in paragraph (1), the Secretary shall implement the dispute resolution program established under paragraph (1) in each State that has not established a dispute resolution program that meets the requirements of subsection (c)(12).

“(3) CONTRACTING OUT OF IMPLEMENTATION.—In carrying out paragraph (2), the Secretary may contract with an appropriate agent to implement the dispute resolution program established under paragraph (2), except that such agent shall not be a person or entity other than a government, nor an affiliate or subsidiary of such a person or entity, that has entered into a contract with the Secretary to implement any other regulatory program under this title.”.

SEC. 611. ELIMINATION OF ANNUAL REPORTING REQUIREMENT.

The National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.) is amended—

(1) by striking section 626 (42 U.S.C. 5425); and

(2) by redesignating sections 627 and 628 (42 U.S.C. 5426, 5401 note) as sections 626 and 627, respectively.

SEC. 612. EFFECTIVE DATE.

The amendments made by this title shall take effect on the date of enactment of this Act, except that the amendments shall have no effect on any order or interpretative bulletin that is issued under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.) and published as a proposed rule pursuant to section 553 of title 5, United States Code, on or before that date of enactment.

SEC. 613. SAVINGS PROVISIONS.

(a) STANDARDS AND REGULATIONS.—The Federal manufactured home construction and safety standards (as such term is defined in section 603 of the National Manufactured Housing Construction and Safety Standards Act of 1974) and all regulations pertaining thereto in effect on the day before the date of enactment of this Act shall apply until the effective date of a standard or regulation modifying or superseding the existing standard or regulation that is promulgated under subsection (a) or (b) of section 604 of the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by this title.

(b) CONTRACTS.—Any contract awarded pursuant to a Request for Proposal issued before the date of enactment of this Act shall remain in effect until the earlier of—

(1) the expiration of the 2-year period beginning on the date of enactment of this Act; or

(2) the expiration of the contract term.

TITLE VII—RURAL HOUSING HOMEOWNERSHIP

SEC. 701. GUARANTEES FOR REFINANCING OF RURAL HOUSING LOANS.

Section 502(h) of the Housing Act of 1949 (42 U.S.C. 1472(h)) is amended by adding at the end the following new paragraph:

“(13) GUARANTEES FOR REFINANCING LOANS.—

“(A) IN GENERAL.—Upon the request of the borrower, the Secretary shall, to the extent provided in appropriation Acts and subject to subparagraph (F), guarantee a loan that is made to refinance an existing loan that is made under this section or guaranteed under this subsection, and that the Secretary determines complies with the requirements of this paragraph.

“(B) INTEREST RATE.—To be eligible for a guarantee under this paragraph, the refinancing loan shall have a rate of interest that is fixed over the term of the loan and does not exceed the interest rate of the loan being refinanced.

“(C) SECURITY.—To be eligible for a guarantee under this paragraph, the refinancing loan shall be secured by the same single-family residence as was the loan being refinanced, which shall be owned by the borrower and occupied by the borrower as the principal residence of the borrower.

“(D) AMOUNT.—To be eligible for a guarantee under this paragraph, the principal obligation under the refinancing loan shall not exceed an amount equal to the sum of the balance of the loan being refinanced and such closing costs as may be authorized by the Secretary, which shall include a discount not exceeding 200 basis points and an origination fee not exceeding such amount as the Secretary shall prescribe.

“(E) OTHER REQUIREMENTS.—The provisions of the last sentence of paragraph (1) and paragraphs (2), (5), (6)(A), (7), and (9) shall apply to loans guaranteed under this paragraph, and no other provisions of paragraphs (1) through (12) shall apply to such loans.

“(F) AUTHORITY TO ESTABLISH LIMITATION.—The Secretary may establish limitations on the number of loans guaranteed under this paragraph, which shall be based on market conditions and other factors as the Secretary considers appropriate.”

SEC. 702. PROMISSORY NOTE REQUIREMENT UNDER HOUSING REPAIR LOAN PROGRAM.

The fourth sentence of section 504(a) of the Housing Act of 1949 (42 U.S.C. 1474(a)) is amended by striking “\$2,500” and inserting “\$7,500”.

SEC. 703. LIMITED PARTNERSHIP ELIGIBILITY FOR FARM LABOR HOUSING LOANS.

The first sentence of section 514(a) of the Housing Act of 1949 (42 U.S.C. 1484(a)) is amended by striking “nonprofit limited partnership” and inserting “limited partnership”.

SEC. 704. PROJECT ACCOUNTING RECORDS AND PRACTICES.

Section 515 of the Housing Act of 1949 (42 U.S.C. 1485) is amended by striking subsection (z) and inserting the following new subsections:

“(z) ACCOUNTING AND RECORDKEEPING REQUIREMENTS.—

“(1) ACCOUNTING STANDARDS.—The Secretary shall require that borrowers in programs authorized by this section maintain accounting records in accordance with generally accepted accounting principles for all projects that receive funds from loans made or guaranteed by the Secretary under this section.

“(2) RECORD RETENTION REQUIREMENTS.—The Secretary shall require that borrowers in programs authorized by this section retain for a period of not less than 6 years and make available to the Secretary in a manner determined by the Secretary, all records required to be maintained under this subsection and other records identified by the Secretary in applicable regulations.

“(aa) DOUBLE DAMAGES FOR UNAUTHORIZED USE OF HOUSING PROJECTS ASSETS AND INCOME.—

“(1) ACTION TO RECOVER ASSETS OR INCOME.—

“(A) IN GENERAL.—The Secretary may request the Attorney General to bring an action in a United States district court to recover any assets or income used by any person in violation of the provisions of a loan made or guaranteed by the Secretary under this section or in violation of any applicable statute or regulation.

“(B) IMPROPER DOCUMENTATION.—For purposes of this subsection, a use of assets or income in violation of the applicable loan, loan guarantee, statute, or regulation shall include any use for which the documentation in the books and accounts does not establish that the use was made for a reasonable operating expense or necessary repair of the project or for which the documentation has not been maintained in accordance with the requirements of the Secretary and in reasonable condition for proper audit.

“(C) DEFINITION.—For the purposes of this subsection, the term ‘person’ means—

“(i) any individual or entity that borrows funds in accordance with programs authorized by this section;

“(ii) any individual or entity holding 25 percent or more interest of any entity that borrows funds in accordance with programs authorized by this section; and

“(iii) any officer, director, or partner of an entity that borrows funds in accordance with programs authorized by this section.

“(2) AMOUNT RECOVERABLE.—

“(A) IN GENERAL.—In any judgment favorable to the United States entered under this subsection, the Attorney General may recover double the value of the assets and income of the project that the court determines to have been used in violation of the provisions of a loan made or guaranteed by the Secretary under this section or any applicable statute or regulation, plus all costs related to the action, including reasonable attorney and auditing fees.

“(B) APPLICATION OF RECOVERED FUNDS.—Notwithstanding any other provision of law, the Secretary may use amounts recovered under this subsection for activities authorized under this section and such funds shall remain available for such use until expended.

“(3) TIME LIMITATION.—Notwithstanding any other provision of law, an action under this subsection may be commenced at any time during the 6-year period beginning on the date that the Secretary discovered or should have discovered the violation of the provisions of this section or any related statutes or regulations.

“(4) CONTINUED AVAILABILITY OF OTHER REMEDIES.—The remedy provided in this subsection is in addition to and not in substitution of any other remedies available to the Secretary or the United States.”

SEC. 705. DEFINITION OF RURAL AREA.

The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended—

(1) by striking “1990 decennial census” and inserting “1990 or 2000 decennial census”; and

(2) by striking “year 2000” and inserting “year 2010”.

SEC. 706. OPERATING ASSISTANCE FOR MIGRANT FARMWORKERS PROJECTS.

The last sentence of section 521(a)(5)(A) of the Housing Act of 1949 (42 U.S.C. 1490a(a)(5)(A)) is amended by striking “project” and inserting “tenant or unit”.

SEC. 707. MULTIFAMILY RENTAL HOUSING LOAN GUARANTEE PROGRAM.

Section 538 of the Housing Act of 1949 (42 U.S.C. 1490p-2) is amended—

(1) in subsection (c), by inserting “an Indian tribe,” after “thereof,”;

(2) in subsection (f), by striking paragraph (1) and inserting the following new paragraph:

“(1) be made for a period of not less than 25 nor greater than 40 years from the date the loan was made and may provide for amortization of the loan over a period of not to exceed 40 years with a final payment of the balance due at the end of the loan term;”;

(3) in subsection (i)(2), by striking “(A) conveyance to the Secretary” and all that follows through “(C) assignment” and inserting “(A) submission to the Secretary of a claim for payment under the guarantee, and (B) assignment”;

(4) in subsection (s), by adding at the end the following new subsection:

“(4) INDIAN TRIBE.—The term ‘Indian tribe’ means—

“(A) any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation, as defined by or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.); or

“(B) any entity established by the governing body of an Indian tribe described in subparagraph (A) for the purpose of financing economic development.”;

(5) in subsection (t), by inserting before the period at the end the following: “to provide guarantees under this section for eligible loans having an aggregate principal amount of \$500,000,000”;

(6) by striking subsection (l);

(7) by redesignating subsections (m) through (u) as subsections (l) through (t), respectively; and

(8) by adding at the end the following new subsections:

“(u) FEE AUTHORITY.—Any amounts collected by the Secretary pursuant to the fees charged to lenders for loan guarantees issued under this section shall be used to offset costs (as defined by section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of loan guarantees made under this section.

“(v) DEFAULTS OF LOANS SECURED BY RESERVATION LANDS.—In the event of a default involving a loan to an Indian tribe or tribal corporation made under this section which is secured by an interest in land within such tribe’s reservation (as determined by the Secretary of the Interior), including a community in Alaska incorporated by the Secretary of the Interior pursuant to the Indian Reorganization Act (25 U.S.C. 461 et seq.), the lender shall only pursue liquidation after offering to transfer the account to an eligible tribal member, the tribe, or the Indian housing authority serving the tribe. If the lender subsequently proceeds to liquidate the account, the lender shall not sell, transfer, or otherwise dispose of or alienate the property except to one of the entities described in the preceding sentence.”

SEC. 708. ENFORCEMENT PROVISIONS.

(a) IN GENERAL.—Title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) is amended by adding after section 542 the following:

“SEC. 543. ENFORCEMENT PROVISIONS.

“(a) EQUITY SKIMMING.—

“(1) CRIMINAL PENALTY.—Whoever, as an owner, agent, employee, or manager, or is otherwise in custody, control, or possession of property that is security for a loan made or guaranteed under this title, willfully uses, or authorizes the use, of any part of the rents, assets, proceeds, income, or other funds derived from such property, for any purpose other than to meet actual, reasonable, and necessary expenses of the property, or for any other purpose not authorized by this title or the regulations adopted pursuant to this title, shall be fined under title 18,

United States Code, or imprisoned not more than 5 years, or both.

“(2) CIVIL SANCTIONS.—An entity or individual who as an owner, operator, employee, or manager, or who acts as an agent for a property that is security for a loan made or guaranteed under this title where any part of the rents, assets, proceeds, income, or other funds derived from such property are used for any purpose other than to meet actual, reasonable, and necessary expenses of the property, or for any other purpose not authorized by this title or the regulations adopted pursuant to this title, shall be subject to a fine of not more than \$25,000 per violation. The sanctions provided in this paragraph may be imposed in addition to any other civil sanctions or civil monetary penalties authorized by law.

“(b) CIVIL MONETARY PENALTIES.—

“(1) IN GENERAL.—The Secretary may, after notice and opportunity for a hearing, impose a civil monetary penalty in accordance with this subsection against any individual or entity, including its owners, officers, directors, general partners, limited partners, or employees, who knowingly and materially violate, or participate in the violation of, the provisions of this title, the regulations issued by the Secretary pursuant to this title, or agreements made in accordance with this title, by—

“(A) submitting information to the Secretary that is false;

“(B) providing the Secretary with false certifications;

“(C) failing to submit information requested by the Secretary in a timely manner;

“(D) failing to maintain the property subject to loans made or guaranteed under this title in good repair and condition, as determined by the Secretary;

“(E) failing to provide management for a project which received a loan made or guaranteed under this title that is acceptable to the Secretary; or

“(F) failing to comply with the provisions of applicable civil rights statutes and regulations.

“(2) CONDITIONS FOR RENEWAL OR EXTENSION.—The Secretary may require that expiring loan or assistance agreements entered into under this title shall not be renewed or extended unless the owner executes an agreement to comply with additional conditions prescribed by the Secretary, or executes a new loan or assistance agreement in the form prescribed by the Secretary.

“(3) AMOUNT.—

“(A) IN GENERAL.—The amount of a civil monetary penalty imposed under this subsection shall not exceed the greater of—

“(i) twice the damages the Department of Agriculture, the guaranteed lender, or the project that is secured for a loan under this section suffered or would have suffered as a result of the violation; or

“(ii) \$50,000 per violation.

“(B) DETERMINATION.—In determining the amount of a civil monetary penalty under this subsection, the Secretary shall take into consideration—

“(i) the gravity of the offense;

“(ii) any history of prior offenses by the violator (including offenses occurring prior to the enactment of this section);

“(iii) the ability of the violator to pay the penalty;

“(iv) any injury to tenants;

“(v) any injury to the public;

“(vi) any benefits received by the violator as a result of the violation;

“(vii) deterrence of future violations; and

“(viii) such other factors as the Secretary may establish by regulation.

“(4) PAYMENT OF PENALTIES.—No payment of a penalty assessed under this section may

be made from funds provided under this title or from funds of a project which serve as security for a loan made or guaranteed under this title.

“(5) REMEDIES FOR NONCOMPLIANCE.—

“(A) JUDICIAL INTERVENTION.—If a person or entity fails to comply with a final determination by the Secretary imposing a civil monetary penalty under this subsection, the Secretary may request the Attorney General of the United States to bring an action in an appropriate United States district court to obtain a monetary judgment against such individual or entity and such other relief as may be available. The monetary judgment may, in the court's discretion, include the attorney's fees and other expenses incurred by the United States in connection with the action.

“(B) REVIEWABILITY OF DETERMINATION.—In an action under this paragraph, the validity and appropriateness of a determination by the Secretary imposing the penalty shall not be subject to review.”

(b) CONFORMING AMENDMENT.—Section 514 of the Housing Act of 1949 (42 U.S.C. 1484) is amended by striking subsection (j).

SEC. 709. AMENDMENTS TO TITLE 18 OF UNITED STATES CODE.

(a) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “any violation of section 543(a)(1) of the Housing Act of 1949 (relating to equity skimming),” after “coupons having a value of not less than \$5,000.”

(b) OBSTRUCTION OF FEDERAL AUDITS.—Section 1516(a) of title 18, United States Code, is amended by inserting “or relating to any property that is security for a loan that is made or guaranteed under title V of the Housing Act of 1949,” before “shall be fined under this title.”

TITLE VIII—HOUSING FOR ELDERLY AND DISABLED FAMILIES

SEC. 801. SHORT TITLE.

This title may be cited as the “Affordable Housing for Seniors and Families Act”.

SEC. 802. REGULATIONS.

The Secretary of Housing and Urban Development (referred to in this title as the “Secretary”) shall issue any regulations to carry out this title and the amendments made by this title that the Secretary determines may or will affect tenants of federally assisted housing only after notice and opportunity for public comment in accordance with the procedure under section 553 of title 5, United States Code, applicable to substantive rules (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section). Notice of such proposed rulemaking shall be provided by publication in the Federal Register. In issuing such regulations, the Secretary shall take such actions as may be necessary to ensure that such tenants are notified of, and provided an opportunity to participate in, the rulemaking, as required by such section 553.

SEC. 803. EFFECTIVE DATE.

(a) IN GENERAL.—The provisions of this title and the amendments made by this title are effective as of the date of enactment of this Act, unless such provisions or amendments specifically provide for effectiveness or applicability upon another date certain.

(b) EFFECT OF REGULATORY AUTHORITY.—Any authority in this title or the amendments made by this title to issue regulations, and any specific requirement to issue regulations by a date certain, may not be construed to affect the effectiveness or applicability of the provisions of this title or the amendments made by this title under such provisions and amendments and subsection (a) of this section.

Subtitle A—Refinancing for Section 202 Supportive Housing for the Elderly

SEC. 811. PREPAYMENT AND REFINANCING.

(a) APPROVAL OF PREPAYMENT OF DEBT.—Upon request of the project sponsor of a project assisted with a loan under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act), the Secretary shall approve the prepayment of any indebtedness to the Secretary relating to any remaining principal and interest under the loan as part of a prepayment plan under which—

(1) the project sponsor agrees to operate the project until the maturity date of the original loan under terms at least as advantageous to existing and future tenants as the terms required by the original loan agreement or any rental assistance payments contract under section 8 of the United States Housing Act of 1937 (or any other rental housing assistance programs of the Department of Housing and Urban Development, including the rent supplement program under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s)) relating to the project; and

(2) the prepayment may involve refinancing of the loan if such refinancing results in a lower interest rate on the principal of the loan for the project and in reductions in debt service related to such loan.

(b) SOURCES OF REFINANCING.—In the case of prepayment under this section involving refinancing, the project sponsor may refinance the project through any third party source, including financing by State and local housing finance agencies, use of tax-exempt bonds, multi-family mortgage insurance under the National Housing Act, reinsurance, or other credit enhancements, including risk sharing as provided under section 542 of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note). For purposes of underwriting a loan insured under the National Housing Act, the Secretary may assume that any section 8 rental assistance contract relating to a project will be renewed for the term of such loan.

(c) USE OF UNEXPENDED AMOUNTS.—Upon execution of the refinancing for a project pursuant to this section, the Secretary shall make available at least 50 percent of the annual savings resulting from reduced section 8 or other rental housing assistance contracts in a manner that is advantageous to the tenants, including—

(1) not more than 15 percent of the cost of increasing the availability or provision of supportive services, which may include the financing of service coordinators and congregate services;

(2) rehabilitation, modernization, or retrofitting of structures, common areas, or individual dwelling units;

(3) construction of an addition or other facility in the project, including assisted living facilities (or, upon the approval of the Secretary, facilities located in the community where the project sponsor refinances a project under this section, or pools shared resources from more than 1 such project); or

(4) rent reduction of unassisted tenants residing in the project according to a pro rata allocation of shared savings resulting from the refinancing.

(d) USE OF CERTAIN PROJECT FUNDS.—The Secretary shall allow a project sponsor that is prepaying and refinancing a project under this section—

(1) to use any residual receipts held for that project in excess of \$500 per individual dwelling unit for not more than 15 percent of the cost of activities designed to increase the availability or provision of supportive services; and

(2) to use any reserves for replacement in excess of \$1,000 per individual dwelling unit for activities described in paragraphs (2) and (3) of subsection (c).

(e) BUDGET ACT COMPLIANCE.—This section shall be effective only to extent or in such amounts that are provided in advance in appropriation Acts.

Subtitle B—Authorization of Appropriations for Supportive Housing for the Elderly and Persons With Disabilities

SEC. 821. SUPPORTIVE HOUSING FOR ELDERLY PERSONS.

Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) is amended by adding at the end the following:

“(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for providing assistance under this section such sums as may be necessary for each of fiscal years 2001, 2002, and 2003.”.

SEC. 822. SUPPORTIVE HOUSING FOR PERSONS WITH DISABILITIES.

Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) is amended by striking subsection (m) and inserting the following:

“(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for providing assistance under this section such sums as may be necessary for each of fiscal years 2001, 2002, and 2003.”.

SEC. 823. SERVICE COORDINATORS AND CONGREGATE SERVICES FOR ELDERLY AND DISABLED HOUSING.

There are authorized to be appropriated to the Secretary such sums as may be necessary for each of fiscal years 2001, 2002, and 2003, for the following purposes:

(1) GRANTS FOR SERVICE COORDINATORS FOR CERTAIN FEDERALLY ASSISTED MULTIFAMILY HOUSING.—For grants under section 676 of the Housing and Community Development Act of 1992 (42 U.S.C. 13632) for providing service coordinators.

(2) CONGREGATE SERVICES FOR FEDERALLY ASSISTED HOUSING.—For contracts under section 802 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8011) to provide congregate services programs for eligible residents of eligible housing projects under subparagraphs (B) through (D) of subsection (k)(6) of such section.

Subtitle C—Expanding Housing Opportunities for the Elderly and Persons With Disabilities

PART 1—HOUSING FOR THE ELDERLY

SEC. 831. ELIGIBILITY OF FOR-PROFIT LIMITED PARTNERSHIPS.

Section 202(k)(4) of the Housing Act of 1959 (12 U.S.C. 1701q(k)(4)) is amended by inserting after subparagraph (C) the following:

“Such term includes a for-profit limited partnership the sole general partner of which is an organization meeting the requirements under subparagraphs (A), (B), and (C), or a corporation wholly owned and controlled by an organization meeting the requirements under subparagraphs (A), (B), and (C).”.

SEC. 832. MIXED FUNDING SOURCES.

Section 202(h)(6) of the Housing Act of 1959 (12 U.S.C. 1701q(h)(6)) is amended—

(1) by striking “non-Federal sources” and inserting “sources other than this section”; and

(2) by adding at the end the following new sentence: “Notwithstanding any other provision of law, assistance amounts provided under this section may be treated as amounts not derived from a Federal grant.”.

SEC. 833. AUTHORITY TO ACQUIRE STRUCTURES.

Section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) is amended—

(1) in subsection (b), by striking “from the Resolution Trust Corporation”; and

(2) in subsection (h)(2)—

(A) in the paragraph heading, by striking “RTC PROPERTIES” and inserting “ACQUISITION”; and

(B) by striking “from the Resolution” and all that follows through “Insurance Act”.

SEC. 834. USE OF PROJECT RESERVES.

Section 202(j) of the Housing Act of 1959 (12 U.S.C. 1701q(j)) is amended by adding at the end the following:

“(8) USE OF PROJECT RESERVES.—Amounts for project reserves for a project assisted under this section may be used for costs, subject to reasonable limitations as the Secretary determines appropriate, for reducing the number of dwelling units in the project. Such use shall be subject to the approval of the Secretary to ensure that the use is designed to retrofit units that are currently obsolete or unmarketable.”.

SEC. 835. COMMERCIAL ACTIVITIES.

Section 202(h)(1) of the Housing Act of 1959 (12 U.S.C. 1701q(h)(1)) is amended by adding at the end the following: “Neither this section nor any other provision of law may be construed as prohibiting or preventing the location and operation, in a project assisted under this section, of commercial facilities for the benefit of residents of the project and the community in which the project is located, except that assistance made available under this section may not be used to subsidize any such commercial facility.”.

PART 2—HOUSING FOR PERSONS WITH DISABILITIES

SEC. 841. ELIGIBILITY OF FOR-PROFIT LIMITED PARTNERSHIPS.

Section 811(k)(6) of the Housing Act of 1959 (42 U.S.C. 8013(k)(6)) is amended by inserting after subparagraph (D) the following:

“Such term includes a for-profit limited partnership the sole general partner of which is an organization meeting the requirements under subparagraphs (A), (B), (C), and (D) or a corporation wholly owned and controlled by an organization meeting the requirements under subparagraphs (A), (B), (C), and (D).”.

SEC. 842. MIXED FUNDING SOURCES.

Section 811(h)(5) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(h)(5)) is amended—

(1) by striking “non-Federal sources” and inserting “sources other than this section”; and

(2) by adding at the end the following new sentence: “Notwithstanding any other provision of law, assistance amounts provided under this section may be treated as amounts not derived from a Federal grant.”.

SEC. 843. TENANT-BASED ASSISTANCE.

Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) is amended—

(1) in subsection (d), by striking paragraph (4) and inserting the following:

“(4) TENANT-BASED RENTAL ASSISTANCE.—

“(A) ADMINISTERING ENTITIES.—Tenant-based rental assistance provided under subsection (b)(1) may be provided only through a public housing agency that has submitted and had approved an plan under section 7(d) of the United States Housing Act of 1937 (42 U.S.C. 1437e(d)) that provides for such assistance, or through a private nonprofit organization. A public housing agency shall be eligible to apply under this section only for the purposes of providing such tenant-based rental assistance.

“(B) PROGRAM RULES.—Tenant-based rental assistance under subsection (b)(1) shall be made available to eligible persons with disabilities and administered under the same rules that govern tenant-based rental assistance made available under section 8 of the United States Housing Act of 1937, except that the Secretary may waive or modify such rules, but only to the extent necessary

to provide for administering such assistance under subsection (b)(1) through private nonprofit organizations rather than through public housing agencies.

“(C) ALLOCATION OF ASSISTANCE.—In determining the amount of assistance provided under subsection (b)(1) for a private nonprofit organization or public housing agency, the Secretary shall consider the needs and capabilities of the organization or agency, in the case of a public housing agency, as described in the plan for the agency under section 7 of the United States Housing Act of 1937.”; and

(2) in subsection (l)(1)—

(A) by striking “subsection (b)” and inserting “subsection (b)(2)”; and

(B) by striking the last comma and all that follows through “subsection (n)”.

SEC. 844. USE OF PROJECT RESERVES.

Section 811(j) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(j)) is amended by adding at the end the following:

“(7) USE OF PROJECT RESERVES.—Amounts for project reserves for a project assisted under this section may be used for costs, subject to reasonable limitations as the Secretary determines appropriate, for reducing the number of dwelling units in the project. Such use shall be subject to the approval of the Secretary to ensure that the use is designed to retrofit units that are currently obsolete or unmarketable.”.

SEC. 845. COMMERCIAL ACTIVITIES.

Section 811(h)(1) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(h)(1)) is amended by adding at the end the following: “Neither this section nor any other provision of law may be construed as prohibiting or preventing the location and operation, in a project assisted under this section, of commercial facilities for the benefit of residents of the project and the community in which the project is located, except that assistance made available under this section may not be used to subsidize any such commercial facility.”.

PART 3—OTHER PROVISIONS

SEC. 851. SERVICE COORDINATORS.

(a) INCREASED FLEXIBILITY FOR USE OF SERVICE COORDINATORS IN CERTAIN FEDERALLY ASSISTED HOUSING.—Section 676 of the Housing and Community Development Act of 1992 (42 U.S.C. 13632) is amended—

(1) in the section heading, by striking “multifamily housing assisted under national housing act” and inserting “certain federally assisted housing”; and

(2) in subsection (a)—

(A) in the first sentence, by striking “(E) and (F)” and inserting “(B), (C), (D), (E), (F), and (G)”; and

(B) in the last sentence—

(i) by striking “section 661” and inserting “section 671”; and

(ii) by adding at the end the following: “A service coordinator funded with a grant under this section for a project may provide services to low-income elderly or disabled families living in the vicinity of such project.”;

(3) in subsection (d)—

(A) by striking “(E) or (F)” and inserting “(B), (C), (D), (E), (F), or (G)”; and

(B) by striking “section 661” and inserting “section 671”; and

(4) by striking subsection (c) and redesignating subsection (d) (as amended by paragraph (3) of this subsection) as subsection (c).

(b) REQUIREMENT TO PROVIDE SERVICE COORDINATORS.—Section 671 of the Housing and Community Development Act of 1992 (42 U.S.C. 13631) is amended—

(1) in the first sentence of subsection (a), by striking "to carry out this subtitle pursuant to the amendments made by this subtitle" and inserting the following: "for providing service coordinators under this section";

(2) in subsection (d), by inserting "()" after "section 683(2)"; and

(3) by adding at the end following:

"(e) SERVICES FOR LOW-INCOME ELDERLY OR DISABLED FAMILIES RESIDING IN VICINITY OF CERTAIN PROJECTS.—To the extent only that this section applies to service coordinators for covered federally assisted housing described in subparagraphs (B), (C), (D), (E), (F), and (G) of section 683(2), any reference in this section to elderly or disabled residents of a project shall be construed to include low-income elderly or disabled families living in the vicinity of such project."

(c) PROTECTION AGAINST TELEMARKETING FRAUD.—

(1) SUPPORTIVE HOUSING FOR THE ELDERLY.—The first sentence of section 202(g)(1) of the Housing Act of 1959 (12 U.S.C. 1701q(g)(1)) is amended by striking "and (F)" and inserting the following: "(F) providing education and outreach regarding telemarketing fraud, in accordance with the standards issued under section 671(f) of the Housing and Community Development Act of 1992 (42 U.S.C. 13631(f)); and (G)".

(2) OTHER FEDERALLY ASSISTED HOUSING.—Section 671 of the Housing and Community Development Act of 1992 (42 U.S.C. 13631), as amended by subsection (b) of this section, is further amended—

(A) in the first sentence of subsection (c), by inserting after "response," the following: "education and outreach regarding telemarketing fraud in accordance with the standards issued under subsection (f)."; and

(B) by adding at the end the following:

"(f) PROTECTION AGAINST TELEMARKETING FRAUD.—

"(1) IN GENERAL.—The Secretary, in coordination with the Secretary of Health and Human Services, shall establish standards for service coordinators in federally assisted housing who are providing education and outreach to elderly persons residing in such housing regarding telemarketing fraud. The standards shall be designed to ensure that such education and outreach informs such elderly persons of the dangers of telemarketing fraud and facilitates the investigation and prosecution of telemarketers engaging in fraud against such residents.

"(2) CONTENTS.—The standards established under this subsection shall require that any such education and outreach be provided in a manner that—

"(A) informs such residents of—

"(i) the prevalence of telemarketing fraud targeted against elderly persons;

"(ii) how telemarketing fraud works;

"(iii) how to identify telemarketing fraud;

"(iv) how to protect themselves against telemarketing fraud, including an explanation of the dangers of providing bank account, credit card, or other financial or personal information over the telephone to unsolicited callers;

"(v) how to report suspected attempts at telemarketing fraud; and

"(vi) their consumer protection rights under Federal law;

"(B) provides such other information as the Secretary considers necessary to protect such residents against fraudulent telemarketing; and

"(C) disseminates the information provided by appropriate means, and in determining such appropriate means, the Secretary shall consider on-site presentations at federally assisted housing, public service announcements, a printed manual or pamphlet, an Internet website, and telephone outreach to

residents whose names appear on 'mooch lists' confiscated from fraudulent telemarketers."

Subtitle D—Preservation of Affordable Housing Stock

SEC. 861. SECTION 236 ASSISTANCE.

(a) EXTENSION OF AUTHORITY TO RETAIN EXCESS CHARGES.—Section 236(g) of the National Housing Act (12 U.S.C. 1715z-1(g)), as amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, is amended—

(1) in paragraph (2), by striking "Subject to paragraph (3) and notwithstanding" and inserting "Notwithstanding"; and

(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(b) TREATMENT OF EXCESS CHARGES PREVIOUSLY COLLECTED.—Any excess charges that a project owner may retain pursuant to the amendments made by subsections (b) and (c) of section 532 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106-74; 113 Stat. 1116) that have been collected by such owner since the date of the enactment of such Appropriations Act and that such owner has not remitted to the Secretary of Housing and Urban Development may be retained by such owner unless such Secretary otherwise provides. To the extent that a project owner has remitted such excess charges to the Secretary since such date of enactment, the Secretary may return to the relevant project owner any such excess charges remitted. Notwithstanding any other provision of law, amounts in the Rental Housing Assistance Fund, or heretofore or subsequently transferred from the Rental Housing Assistance Fund to the Flexible Subsidy Fund, shall be available to make such return of excess charges previously remitted to the Secretary, including the return of excess charges referred to in section 532(e) of such Appropriations Act.

TITLE IX—OTHER RELATED HOUSING PROVISIONS

SEC. 901. EXTENSION OF LOAN TERM FOR MANUFACTURED HOME LOTS.

Section 2(b)(3)(E) of the National Housing Act (12 U.S.C. 1703(b)(3)(E)) is amended by striking "fifteen" and inserting "twenty".

SEC. 902. USE OF SECTION 8 VOUCHERS FOR OPT-OUTS.

(a) IN GENERAL.—Section 8(t)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(2)), as amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, is amended by striking "fiscal year 1996" and inserting "fiscal year 1994".

(b) EFFECTIVE DATE.—The amendment under subsection (a) shall be made and shall apply—

(1) upon the enactment of this Act, if the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, is enacted before the enactment of this Act; and

(2) immediately after the enactment of such appropriations Act, if such appropriations Act is enacted after the enactment of this Act.

SEC. 903. MAXIMUM PAYMENT STANDARD FOR ENHANCED VOUCHERS.

(a) IN GENERAL.—Section 8(t)(1)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(1)(B)), as amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, is amended by inserting before the semicolon at the end the

following: "; except that a limit shall not be considered reasonable for purposes of this subparagraph if it adversely affects such assisted families".

(b) EFFECTIVE DATE.—The amendment under subsection (a) shall be made and shall apply—

(1) upon the enactment of this Act, if the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, is enacted before the enactment of this Act; and

(2) immediately after the enactment of such appropriations Act, if such appropriations Act is enacted after the enactment of this Act.

SEC. 904. USE OF SECTION 8 ASSISTANCE BY "GRAND-FAMILIES" TO RENT DWELLING UNITS IN ASSISTED PROJECTS.

Section 215(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12745(a)) is amended by adding at the end the following new paragraph:

"(6) WAIVER OF QUALIFYING RENT.—

"(A) IN GENERAL.—For the purpose of providing affordable housing appropriate for families described in subparagraph (B), the Secretary may, upon the application of the project owner, waive the applicability of subparagraph (A) of paragraph (1) with respect to a dwelling unit if—

"(i) the unit is occupied by such a family, on whose behalf tenant-based assistance is provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

"(ii) the rent for the unit is not greater than the existing fair market rent for comparable units in the area, as established by the Secretary under section 8 of the United States Housing Act of 1937; and

"(iii) the Secretary determines that the waiver, together with waivers under this paragraph for other dwelling units in the project, will result in the use of amounts described in clause (iii) in an effective manner that will improve the provision of affordable housing for such families.

"(B) ELIGIBLE FAMILIES.—A family described in this subparagraph is a family that consists of at least one elderly person (who is the head of household) and one or more of such person's grand children, great grandchildren, great nieces, great nephews, or great great grandchildren (as defined by the Secretary), but does not include any parent of such grandchildren, great grandchildren, great nieces, great nephews, or great great grandchildren. Such term includes any such grandchildren, great grandchildren, great nieces, great nephews, or great great grandchildren who have been legally adopted by such elderly person."

TITLE X—FEDERAL RESERVE BOARD PROVISIONS

SEC. 1001. FEDERAL RESERVE BOARD BUILDINGS.

The 3rd redesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 243) is amended—

(1) by inserting after the 1st sentence the following new sentence: "After September 1, 2000, the Board may also use such assessments to acquire, in its own name, a site or building (in addition to the facilities existing on such date) to provide for the performance of the functions of the Board."; and

(2) in the sentences following the sentence added by the amendment made by paragraph (1) of this section—

(A) by striking "the site" and inserting "any site"; and

(B) by inserting "or buildings" after "building" each place such term appears.

SEC. 1002. POSITIONS OF BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM ON THE EXECUTIVE SCHEDULE.

(a) IN GENERAL.—

(1) POSITIONS AT LEVEL I OF THE EXECUTIVE SCHEDULE.—Section 5312 of title 5, United States Code, is amended by adding at the end the following:

“Chairman, Board of Governors of the Federal Reserve System.”.

(2) POSITIONS AT LEVEL II OF THE EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended—

(A) by striking “Chairman, Board of Governors of the Federal Reserve System.”; and

(B) by adding at the end the following:

“Members, Board of Governors of the Federal Reserve System.”.

(3) POSITIONS AT LEVEL III OF THE EXECUTIVE SCHEDULE.—Section 5314 of title 5, United States Code, is amended by striking “Members, Board of Governors of the Federal Reserve System.”.

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first pay period for the Chairman and Members of the Board of Governors of the Federal Reserve System beginning on or after the date of enactment of this Act.

SEC. 1003. AMENDMENTS TO THE FEDERAL RESERVE ACT.

(a) REPEAL.—Section 2A of the Federal Reserve Act (12 U.S.C. 225a) is amended by striking all after the first sentence.

(b) APPEARANCES BEFORE AND REPORTS TO THE CONGRESS.—

(1) IN GENERAL.—The Federal Reserve Act (12 U.S.C. 221 et seq.) is amended by inserting after section 2A the following new section:

“SEC. 2B. APPEARANCES BEFORE AND REPORTS TO THE CONGRESS.

“(a) APPEARANCES BEFORE THE CONGRESS.—

“(1) IN GENERAL.—The Chairman of the Board shall appear before the Congress at semi-annual hearings, as specified in paragraph (2), regarding—

“(A) the efforts, activities, objectives and plans of the Board and the Federal Open Market Committee with respect to the conduct of monetary policy; and

“(B) economic developments and prospects for the future described in the report required in subsection (b).

“(2) SCHEDULE.—The Chairman of the Board shall appear—

“(A) before the Committee on Banking and Financial Services of the House of Representatives on or about February 20 of even numbered calendar years and on or about July 20 of odd numbered calendar years;

“(B) before the Committee on Banking, Housing, and Urban Affairs of the Senate on or about July 20 of even numbered calendar years and on or about February 20 of odd numbered calendar years; and

“(C) before either Committee referred to in subparagraph (A) or (B), upon request, following the scheduled appearance of the Chairman before the other Committee under subparagraph (A) or (B).

“(b) CONGRESSIONAL REPORT.—The Board shall, concurrent with each semi-annual hearing required by this section, submit a written report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives, containing a discussion of the conduct of monetary policy and economic developments and prospects for the future, taking into account past and prospective developments in employment, unemployment, production, investment, real income, productivity, exchange rates, international trade and payments, and prices.”.

TITLE XI—BANKING AND HOUSING AGENCY REPORTS

SEC. 1101. SHORT TITLE.

This title may be cited as the “Federal Reporting Act of 2000”.

SEC. 1102. PRESERVATION OF CERTAIN REPORTING REQUIREMENTS.

Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) shall not apply to any report required to be submitted under any of the following provisions of law:

(1) Section 3 of the Employment Act of 1946 (15 U.S.C. 1022).

(2) Section 309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099).

(3) Section 603 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3213).

(4) Section 7(o)(1) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)(1)).

(5) Section 540(c) of the National Housing Act (12 U.S.C. 1735f-18(c)).

(6) Paragraphs (2) and (6) of section 808(e) of the Civil Rights Act of 1968 (42 U.S.C. 3608(e)).

(7) Section 1061 of the Housing and Community Development Act of 1992 (42 U.S.C. 4856).

(8) Section 203(v) of the National Housing Act (12 U.S.C. 1709(v)), as added by section 504 of the Housing and Community Development Act of 1992 (Public Law 102-550; 106 Stat. 3780).

(9) Section 802 of the Housing Act of 1954 (12 U.S.C. 1701o).

(10) Section 8 of the Department of Housing and Urban Development Act (42 U.S.C. 3536).

(11) Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027).

(12) Section 4(e)(2) of the Department of Housing and Urban Development Act (42 U.S.C. 3533(e)(2)).

(13) Section 205(g) of the National Housing Act (12 U.S.C. 1711(g)).

(14) Section 701(c)(1) of the International Financial Institutions Act (22 U.S.C. 262d(c)(1)).

(15) Paragraphs (1) and (2) of section 5302(c) of title 31, United States Code.

(16) Section 18(f)(7) of the Federal Trade Commission Act. (15 U.S.C. 57a(f)(7)).

(17) Section 333 of the Revised Statutes of the United States (12 U.S.C. 14).

(18) Section 3(g) of the Home Owners' Loan Act (12 U.S.C. 1462a(g)).

(19) Section 304 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 304).

(20) Sections 2(b)(1)(A), 8(a), 8(c), 10(g)(1), and 11(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(A), 635g(a), 635g(c), 635i-3(g), and 635i-5(c)).

(21) Section 17(a) of the Federal Deposit Insurance Act (12 U.S.C. 1827(a)).

(22) Section 13 of the Federal Financing Bank Act of 1973 (12 U.S.C. 2292).

(23) Section 2B(d) of the Federal Home Loan Bank Act (12 U.S.C. 1422b(d)).

(24) Section 1002(b) of Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note).

(25) Section 8 of the Fair Credit and Charge Card Disclosure Act of 1988 (15 U.S.C. 1637 note).

(26) Section 136(b)(4)(B) of the Truth in Lending Act (15 U.S.C. 1646(b)(4)(B)).

(27) Section 707 of the Equal Credit Opportunity Act (15 U.S.C. 1691f).

(28) Section 114 of the Truth in Lending Act (15 U.S.C. 1613).

(29) The seventh undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 247).

(30) The tenth undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 247a).

(31) Section 815 of the Fair Debt Collection Practices Act (15 U.S.C. 1692m).

(32) Section 102(d) of the Federal Credit Union Act (12 U.S.C. 1752a(d)).

(33) Section 21B(i) of the Federal Home Loan Bank Act (12 U.S.C. 1441b(i)).

(34) Section 607(a) of the Housing and Community Development Amendments of 1978 (42 U.S.C. 8106(a)).

(35) Section 708(l) of the Defense Production Act of 1950 (50 U.S.C. Ap. 2158(l)).

(36) Section 2546 of the Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 (28 U.S.C. 522 note).

(37) Section 202(b)(8) of the National Housing Act (12 U.S.C. 1708(b)(8)).

SEC. 1103. COORDINATION OF REPORTING REQUIREMENTS.

(a) FEDERAL DEPOSIT INSURANCE CORPORATION.—Section 17(a) of the Federal Deposit Insurance Act (12 U.S.C. 1827(a)) is amended by adding at the end the following new paragraph:

“(3) COORDINATION WITH OTHER REPORT REQUIREMENTS.—The report required under this subsection shall include the report required under section 18(f)(7) of the Federal Trade Commission Act.”.

(b) BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.—The 7th undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 247) is amended by adding at the end the following new sentence: “The report required under this paragraph shall include the reports required under section 707 of the Equal Credit Opportunity Act, section 18(f)(7) of the Federal Trade Commission Act, section 114 of the Truth in Lending Act, and the 10th undesignated paragraph of this section.”.

(c) COMPTROLLER OF THE CURRENCY.—Section 333 of the Revised Statutes of the United States (12 U.S.C. 14) is amended by adding at the end the following new sentence: “The report required under this section shall include the report required under section 18(f)(7) of the Federal Trade Commission Act.”.

(d) EXPORT-IMPORT BANK.—

(1) IN GENERAL.—Section 2(b)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(A)) is amended—

(A) by striking “a annual” and inserting “an annual”; and

(B) by adding at the end the following new sentence: “The annual report required under this subparagraph shall include the report required under section 10(g).”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 10(g)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i-3(g)(1)) is amended—

(A) by striking “On or” and all that follows through “the Bank” and inserting “The Bank”; and

(B) by striking “a report” and inserting “an annual report”.

(e) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—Section 8 of the Department of Housing and Urban Development Act (42 U.S.C. 3536) is amended by adding at the end the following new sentence: “The report required under this section shall include the reports required under paragraphs (2) and (6) of section 808(e) of the Civil Rights Act of 1968, the reports required under subsections (a) and (b) of section 1061 of the Housing and Community Development Act of 1992, the report required under section 802 of the Housing Act of 1954, and the report required under section 4(e)(2) of this Act.”.

(f) FEDERAL HOUSING ADMINISTRATION.—Section 203(v) of the National Housing Act (12 U.S.C. 1709(v)), as added by section 504 of the Housing and Community Development Act of 1992, is amended by adding at the end the following new sentence:

“The report required under this subsection shall include the report required under section 540(c) and the report required under section 205(g).”.

(g) INTERNATIONAL FINANCIAL INSTITUTIONS ACT.—Section 701(c)(1) of the International Financial Institutions Act (22 U.S.C. 262d(c)(1)) is amended by striking “Not later” and all that follows through “quarterly” and inserting “The Secretary of the Treasury shall report annually”.

SEC. 1104. ELIMINATION OF CERTAIN REPORTING REQUIREMENTS.

(a) EXPORT-IMPORT BANK.—The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is amended—

(1) in section 2(b)(1)(D)—
(A) by striking “(i)”; and
(B) by striking clause (ii);
(2) in section 2(b)(8), by striking the last sentence;

(3) in section 6(b), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(4) in section 8, by striking subsections (b) and (d) and redesignating subsections (c) and (e) as subsections (b) and (c), respectively.

(b) FEDERAL DEPOSIT INSURANCE CORPORATION.—Section 17 of the Federal Deposit Insurance Act (12 U.S.C. 1827) is amended by striking subsection (h).

TITLE XII—FINANCIAL REGULATORY RELIEF

SEC. 1200. SHORT TITLE.

This title may be cited as the “Financial Regulatory Relief and Economic Efficiency Act of 2000”.

Subtitle A—Improving Monetary Policy and Financial Institution Management Practices

SEC. 1201. REPEAL OF SAVINGS ASSOCIATION LIQUIDITY PROVISION.

(a) REPEAL OF LIQUIDITY PROVISION.—Section 6 of the Home Owners’ Loan Act (12 U.S.C. 1465) is hereby repealed.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 5.—Section 5(c)(1)(M) of the Home Owners’ Loan Act (12 U.S.C. 1464(c)(1)(M)) is amended to read as follows:

“(M) LIQUIDITY INVESTMENTS.—Investments (other than equity investments), identified by the Director, for liquidity purposes, including cash, funds on deposit at a Federal reserve bank or a Federal home loan bank, or bankers’ acceptances.”.

(2) SECTION 10.—Section 10(m)(4)(B)(iii) of the Home Owners’ Loan Act (12 U.S.C. 1467a(m)(4)(B)(iii)) is amended by inserting “as in effect on the day before the date of the enactment of the Financial Regulatory Relief and Economic Efficiency Act of 2000,” after “Loan Act.”.

SEC. 1202. NONCONTROLLING INVESTMENTS BY SAVINGS ASSOCIATION HOLDING COMPANIES.

Section 10(e)(1)(A)(iii) of the Home Owners’ Loan Act (12 U.S.C. 1467a(e)(1)(A)(iii)) is amended—

(1) by inserting “, except with the prior written approval of the Director,” after “or to retain”; and

(2) by striking “so acquire or retain” and inserting “acquire or retain, and the Director may not authorize acquisition or retention of.”.

SEC. 1203. REPEAL OF DEPOSIT BROKER NOTIFICATION AND RECORDKEEPING REQUIREMENT.

Section 29A of the Federal Deposit Insurance Act (12 U.S.C. 1831f-1) is hereby repealed.

SEC. 1204. EXPEDITED PROCEDURES FOR CERTAIN REORGANIZATIONS.

The National Bank Consolidation and Merger Act (12 U.S.C. 215 et seq.) is amended—

(1) by redesignating section 5 as section 7; and

(2) by inserting after section 4 the following new section:

“SEC. 5. EXPEDITED PROCEDURES FOR CERTAIN REORGANIZATIONS.

“(a) IN GENERAL.—A national bank may, with the approval of the Comptroller, pursuant to rules and regulations promulgated by the Comptroller, and upon the affirmative vote of the shareholders of such bank owning at least two-thirds of its capital stock outstanding, reorganize so as to become a subsidiary of a bank holding company or of a company that will, upon consummation of such reorganization, become a bank holding company.

“(b) REORGANIZATION PLAN.—A reorganization authorized under subsection (a) shall be carried out in accordance with a reorganization plan that—

“(1) specifies the manner in which the reorganization shall be carried out;

“(2) is approved by a majority of the entire board of directors of the national bank;

“(3) specifies—

“(A) the amount of cash or securities of the bank holding company, or both, or other consideration to be paid to the shareholders of the reorganizing bank in exchange for their shares of stock of the bank;

“(B) the date as of which the rights of each shareholder to participate in such exchange will be determined; and

“(C) the manner in which the exchange will be carried out; and

“(4) is submitted to the shareholders of the reorganizing bank at a meeting to be held on the call of the directors in accordance with the procedures prescribed in connection with a merger of a national bank under section 3.

“(c) RIGHTS OF DISSENTING SHAREHOLDERS.—If, pursuant to this section, a reorganization plan has been approved by the shareholders and the Comptroller, any shareholder of the bank who has voted against the reorganization at the meeting referred to in subsection (b)(4), or has given notice in writing at or prior to that meeting to the presiding officer that the shareholder dissents from the reorganization plan, shall be entitled to receive the value of his or her shares, as provided by section 3 for the merger of a national bank.

“(d) EFFECT OF REORGANIZATION.—The corporate existence of a national bank that reorganizes in accordance with this section shall not be deemed to have been affected in any way by reason of such reorganization.

“(e) APPROVAL UNDER THE BANK HOLDING COMPANY ACT.—This section does not affect in any way the applicability of the Bank Holding Company Act of 1956 to a transaction described in subsection (a).”.

SEC. 1205. NATIONAL BANK DIRECTORS.

(a) AMENDMENTS TO THE REVISED STATUTES.—Section 5145 of the Revised Statutes of the United States (12 U.S.C. 71) is amended—

(1) by striking “for one year” and inserting “for a period of not more than 3 years”; and

(2) by adding at the end the following: “In accordance with regulations issued by the Comptroller of the Currency, a national bank may adopt bylaws that provide for staggering the terms of its directors.”.

(b) AMENDMENT TO THE BANKING ACT OF 1933.—Section 31 of the Banking Act of 1933 (12 U.S.C. 71a) is amended in the first sentence, by inserting before the period “, except that the Comptroller of the Currency may, by regulation or order, exempt a national bank from the 25-member limit established by this section”.

SEC. 1206. AMENDMENT TO NATIONAL BANK CONSOLIDATION AND MERGER ACT.

The National Bank Consolidation and Merger Act (12 U.S.C. 215 et seq.) is amended by inserting after section 5, as added by this title, the following new section:

“SEC. 6. MERGERS AND CONSOLIDATIONS WITH SUBSIDIARIES AND NONBANK AFFILIATES.

“(a) IN GENERAL.—Upon the approval of the Comptroller, a national bank may merge with 1 or more of its nonbank subsidiaries or affiliates.

“(b) SCOPE.—Nothing in this section shall be construed—

“(1) to affect the applicability of section 18(c) of the Federal Deposit Insurance Act; or

“(2) to grant a national bank any power or authority that is not permissible for a national bank under other applicable provisions of law.

“(c) REGULATIONS.—The Comptroller shall promulgate regulations to implement this section.”.

SEC. 1207. LOANS ON OR PURCHASES BY INSTITUTIONS OF THEIR OWN STOCK; AFFILIATIONS.

(a) AMENDMENT TO THE REVISED STATUTES.—Section 5201 of the Revised Statutes of the United States (12 U.S.C. 83) is amended to read as follows:

“SEC. 5201. LOANS BY BANK ON ITS OWN STOCK.

“(a) GENERAL PROHIBITION.—No national bank shall make any loan or discount on the security of the shares of its own capital stock.

“(b) EXCLUSION.—For purposes of this section, a national bank shall not be deemed to be making a loan or discount on the security of the shares of its own capital stock if it acquires the stock to prevent loss upon a debt previously contracted for in good faith.”.

(b) AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT.—Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended—

(1) by redesignating subsection (t), as added by section 730 of the Gramm-Leach-Bliley Act (Public Law 106-102; 113 Stat. 1476), as subsection (u); and

(2) by adding at the end the following new subsection:

“(v) LOANS BY INSURED INSTITUTIONS ON THEIR OWN STOCK.—

“(1) GENERAL PROHIBITION.—No insured depository institution may make any loan or discount on the security of the shares of its own capital stock.

“(2) EXCLUSION.—For purposes of this subsection, an insured depository institution shall not be deemed to be making a loan or discount on the security of the shares of its own capital stock if it acquires the stock to prevent loss upon a debt previously contracted for in good faith.”.

SEC. 1208. PURCHASED MORTGAGE SERVICING RIGHTS.

Section 475 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1828 note) is amended—

(1) in subsection (a)(1), by inserting “(or such other percentage exceeding 90 percent but not exceeding 100 percent, as may be determined under subsection (b))” after “90 percent”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting after subsection (a) the following new subsection:

“(b) AUTHORITY TO DETERMINE PERCENTAGE BY WHICH TO DISCOUNT VALUE OF SERVICING RIGHTS.—The appropriate Federal banking agencies may allow readily marketable purchased mortgage servicing rights to be valued at more than 90 percent of their fair market value but at not more than 100 percent of such value, if such agencies jointly make a finding that such valuation would not have an adverse effect on the deposit insurance funds or the safety and soundness of insured depository institutions.”; and

(3) in subsection (c), by striking “and” and inserting “, ‘deposit insurance fund’, and”.

Subtitle B—Streamlining Activities of Institutions

SEC. 1211. CALL REPORT SIMPLIFICATION.

(a) MODERNIZATION OF CALL REPORT FILING AND DISCLOSURE SYSTEM.—In order to reduce the administrative requirements pertaining to bank reports of condition, savings association financial reports, and bank holding company consolidated and parent-only financial statements, and to improve the timeliness of such reports and statements, the Federal banking agencies shall—

(1) work jointly to develop a system under which—

(A) insured depository institutions and their affiliates may file such reports and statements electronically; and

(B) the Federal banking agencies may make such reports and statements available to the public electronically; and

(2) not later than 1 year after the date of enactment of this Act, report to the Congress and make recommendations for legislation that would enhance efficiency for filers and users of such reports and statements.

(b) UNIFORM REPORTS AND SIMPLIFICATION OF INSTRUCTIONS.—The Federal banking agencies shall, consistent with the principles of safety and soundness, work jointly—

(1) to adopt a single form for the filing of core information required to be submitted under Federal law to all such agencies in the reports and statements referred to in subsection (a); and

(2) to simplify instructions accompanying such reports and statements and to provide an index to the instructions that is adequate to meet the needs of both filers and users.

(c) REVIEW OF CALL REPORT SCHEDULE.—Each Federal banking agency shall—

(1) review the information required by schedules supplementing the core information referred to in subsection (b); and

(2) eliminate requirements that are not warranted for reasons of safety and soundness or other public purposes.

(d) DEFINITION.—In this section, the term “Federal banking agency” has the same meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

Subtitle C—Streamlining Agency Actions

SEC. 1221. ELIMINATION OF DUPLICATIVE DISCLOSURE OF FAIR MARKET VALUE OF ASSETS AND LIABILITIES.

Section 37(a)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1831n(a)(3)) is amended by striking subparagraph (D).

SEC. 1222. PAYMENT OF INTEREST IN RECEIVERSHIPS WITH SURPLUS FUNDS.

Section 11(d)(10) of the Federal Deposit Insurance Act (12 U.S.C. 1821(d)(10)) is amended by adding at the end the following new subparagraph:

“(C) RULEMAKING AUTHORITY OF CORPORATION.—The Corporation may prescribe such rules, including definitions of terms, as it deems appropriate to establish a single uniform interest rate for or to make payments of post insolvency interest to creditors holding proven claims against the receivership estates of insured Federal or State depository institutions following satisfaction by the receiver of the principal amount of all creditor claims.”

SEC. 1223. REPEAL OF REPORTING REQUIREMENT ON DIFFERENCES IN ACCOUNTING STANDARDS.

Section 37(c) of the Federal Deposit Insurance Act (12 U.S.C. 1831n(c)) is amended—

(1) in paragraph (1), by striking “Each” and all that follows through “a report” and inserting “The Federal banking agencies shall jointly submit an annual report”; and

(2) by inserting “any” before “such agency” each place that term appears.

SEC. 1224. EXTENSION OF TIME.

Section 6(a)(1) of the Federal Home Loan Bank Act (12 U.S.C. 1426(a)(1)) is amended by striking “1 year” and inserting “18 months”.

Subtitle D—Technical Corrections

SEC. 1231. TECHNICAL CORRECTION RELATING TO DEPOSIT INSURANCE FUNDS.

(a) IN GENERAL.—Section 2707 of the Deposit Insurance Funds Act of 1996 (Public Law 104-208; 110 Stat. 3009-496) is amended—

(1) by striking “7(b)(2)(C)” and inserting “7(b)(2)(E)”; and

(2) by striking “, as redesignated by section 2704(d)(6) of this subtitle”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be deemed to have the same effective date as section 2707 of the Deposit Insurance Funds Act of 1996 (Public Law 104-208; 110 Stat. 3009-496).

SEC. 1232. RULES FOR CONTINUATION OF DEPOSIT INSURANCE FOR MEMBER BANKS CONVERTING CHARTERS.

Section 8(o) of the Federal Deposit Insurance Act (12 U.S.C. 1818(o)) is amended in the second sentence, by striking “subsection (d) of section 4” and inserting “subsection (c) or (d) of section 4”.

SEC. 1233. AMENDMENTS TO THE REVISED STATUTES OF THE UNITED STATES.

(a) WAIVER OF CITIZENSHIP REQUIREMENT FOR NATIONAL BANK DIRECTORS.—Section 5146 of the Revised Statutes of the United States (12 U.S.C. 72) is amended in the first sentence, by inserting before the period “, and waive the requirement of citizenship in the case of not more than a minority of the total number of directors”.

(b) TECHNICAL AMENDMENT TO THE REVISED STATUTES.—Section 329 of the Revised Statutes of the United States (12 U.S.C. 11) is amended by striking “to be interested in any association issuing national currency under the laws of the United States” and inserting “to hold an interest in any national bank”.

(c) REPEAL OF UNNECESSARY CAPITAL AND SURPLUS REQUIREMENT.—Section 5138 of the Revised Statutes of the United States (12 U.S.C. 51) is hereby repealed.

SEC. 1234. CONFORMING CHANGE TO THE INTERNATIONAL BANKING ACT OF 1978.

Section 4(b) of the International Banking Act of 1978 (12 U.S.C. 3102(b)) is amended in the second sentence, by striking paragraph (1) and by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

S. 3274—SECTION-BY-SECTION

Section 1. Short Title and Table of Contents. States that the act may be cited as the “American Homeownership and Economic Opportunity Act of 2000.”

TITLE I—REMOVAL OF BARRIERS TO HOUSING AFFORDABILITY

Section 101. Short title. This title may be referred to as the “Housing Affordability Barrier Removal Act of 2000.”

Section 102. Grants for regulatory barrier removal strategies. Authorizes \$15 million for FY 2001 through FY 2005 for grants to States, local governments, and eligible consortia for regulatory barrier removal strategies. This is a reauthorization of the same amount under an already existing CDBG set-aside (Section 107(a)(1)(H)). Grants provided for these purposes must be used in coordination with the local comprehensive housing affordability strategy (“CHAS”).

Section 103. Regulatory barriers clearinghouse. Creates within HUD’s Office of Policy Development and Research a “Regulatory Barriers Clearinghouse” to collect and disseminate information on, among other things, the prevalence of regulatory barriers and their effects on availability of affordable housing, and successful barrier removal strategies.

TITLE II—HOMEOWNERSHIP FOR WORKING FAMILIES

Section 201. Home equity conversion mortgages. Allows for the refinancing of home equity conversion mortgages (HECMs) for elderly homeowners. Gives the Secretary discretion to reduce the single premium payment to an amount as determined by an actuarial study, to be conducted by the Secretary within 180 days of enactment, and to credit the premium paid on the original loan. Authorizes the Secretary to establish a limit on origination fees that may be charged (which fees may be fully financed). Waives counseling requirements if the borrower has received counseling in the prior five years and the increase in the principal limit exceeds refinancing costs by an amount set by the Department; provides a disclosure under a refinanced mortgage of the total cost of refinancing and the principal limit increase.

In cases where the reverse mortgage proceeds are used for long-term care insurance contracts, a portion of those proceeds may be used for up-front costs, such as initial service, appraisal and inspection fees. Requires HUD to waive the up-front mortgage insurance premium in cases where reverse mortgage proceeds are used for costs of a qualified long-term care insurance contract.

Directs the Department to conduct an actuarial study within 180 days of enactment of the effect creating a single national loan limit for HECM reverse mortgages.

Section 202. Assistance for self-help housing providers. Reauthorizes the self-help housing for FY 2001. Allows projects with 5 or more units to use their funds over a 3-year period. Allows entities to advance themselves funds prior to completion of environmental reviews for purposes of land acquisition.

TITLE III—SECTION 8 HOMEOWNERSHIP OPTION

Section 301. Downpayment assistance. Public Housing Authorities (PHAs) are authorized to provide down-payment assistance in the form of a single grant, in lieu of monthly assistance. Such down-payment assistance shall not exceed the total amount of monthly assistance received by the tenant for the first year of assistance. For FY 2000 and thereafter, assistance under this section shall be available to the extent that sums are appropriated.

Section 302. Pilot program for homeownership assistance for disabled families. Adds a pilot program to demonstrate the use of tenant-based section 8 assistance (section 8 vouchers) for the purchase of a home that will be owned by 1 or more members of the disabled family and will be occupied by that family and meets certain requirements. Requirements include purchase of the property within three years of enactment of this Act; demonstrated income level from employment or other sources (including public assistance), that is not less than twice the Section 8 payment standard established by the PHA; participation in a housing counseling program provided by the PHA; and other requirements established by the PHA in accordance with requirements established by the Secretary of HUD.

Section 303. Funding for pilot program. Authorizes such sums as may be appropriated for a grant program to supplement demonstration programs approved under the Section 8 homeownership demonstration program. The program has a 50% match requirement.

TITLE IV—PRIVATE MORTGAGE INSURANCE CANCELLATION AND TERMINATION

Section 401. Short title. Provides that this title may be cited as the “Private Mortgage

Insurance Technical Corrections and Clarification Act".

Section 402. Changes in amortization schedule. Clarifies that private mortgage insurance (PMI) termination/cancellation rights for adjustable rate mortgages (ARMs) are based on the amortization schedule then in effect (the most recent calculation); treats a balloon mortgage like an ARM (uses most recent amortization schedule); bases cancellation/termination rights on modified terms if loan modification occurs.

Section 403. Deletion of ambiguous references to residential mortgages. Clarifies that borrowers' PMI cancellation and termination rights apply only to mortgages created after the effective date of the legislation (one-year after the date of enactment).

Section 404. Cancellation rights after cancellation date. Clarifies that the good payment history requirement in the bill is calculated as of the later of the cancellation date or, the date on which a borrower requests cancellation. Provides that if a borrower is not current on payments as of the termination date, but later becomes current, termination shall not take place until the first day of the following month (eliminates lender need to check and cancel PMI every day of the month). Clarifies that PMI cancellation or termination does not eliminate requirement to make PMI payments legitimately accrued prior to any cancellation or termination of PMI.

Section 405. Clarification of cancellation and termination issues and lender paid mortgage insurance disclosure requirements. Adds provision clarifying cancellation and termination issues related to terms ambiguous in law, including "good payment history", "automatic termination" and "accrued obligation for premium payments". Clarifies that PMI cancellation rights exist on the cancellation date, or any later date, as long as the borrower complies with all cancellation requirements. Clarifies that borrower must be current on loan payments to exercise cancellation.

Section 406. Definitions. Sets forth definitions of: (a) refinanced; (b) midpoint of the amortization period; (d) original value; and (e) principal residence.

TITLE V—NATIVE AMERICAN HOMEOWNERSHIP

Subtitle A—Native American Housing

Section 501. Lands Title Report Commission. Subject to amounts appropriated, creates an Indian Lands Title Report Commission to develop recommended approaches to improving how the Bureau of Indian Affairs (BIA) conducts title reviews in connection with the sale of Indian lands. Receipt of a certificate from BIA is a prerequisite to any sales transaction on Indian lands, and the current procedure is overly burdensome and presents a regulatory barrier to increasing homeownership on Indian lands.

The Commission is composed of 12 members with knowledge of Indian land title issues (4 appointed by the President, 4 by the President from recommendations made by the Chairman of the Senate Committee on Banking, Housing, and Urban Affairs Committee, and 4 by President from recommendations made by the Chairman of the House Committee on Banking and Financial Services). Authorized at \$500,000.

Section 502. Loan guarantees. Permanently authorizes the section 184 Loan Guarantee Program for Indian housing.

Section 503. Native American housing assistance. Makes the following amendments to the Native American Housing and Self-Determination Act of 1996 (NAHASDA):

Restricts Secretary's authority to grant waiver of Indian housing plan requirements, upon noncompliance due to circumstances

beyond the control of the Indian tribe, to a period of 90 days. Allows Secretary to waive requirement for a local cooperation agreement provided the recipient has made a good faith effort to comply and agrees to make payments in lieu of taxes to the jurisdiction.

Sets forth requirement for assistance to Indian families that are not low-income upon a showing of need. Eliminates separate Indian housing plan requirements for small Indian tribes.

Provides Secretary with authority to waive statutory requirements of environmental reviews upon a determination that failure to comply does not undermine goals of the National Environmental Policy Act, will not threaten the health or safety of the community, is the result of inadvertent error and can be corrected by the recipient of funding. The intent is to address problems resulting from procedural, rather than substantive, noncompliance.

Authorizes tribal housing entities to provide housing on Indian reservations to full-time law enforcement officers, sworn to implement the Federal, State, county, or tribal law.

Revises provisions regarding audits and reviews by the Secretary by making applicable the requirements of the Single Audit Act to tribal housing entities; allowing these housing entities to be treated as a non-Federal entities; and, permitting the Secretary to conduct audits. The audits will determine whether the grant recipient has carried out eligible activities in a timely manner; has met certification requirements; has an on going capacity to carry out eligible activities in a timely manner; and, has complied with the proposed housing plan.

Prescribes formula allocation for Indian housing authorities operating fewer than 250 units by requiring the amount of assistance provided to these tribes to be based on an average of their allocations from the prior five (5) fiscal years (fiscal years 1992 through 1997).

Amends hearing requirements to allow the Secretary to take immediate remedial action if the Secretary determines that the recipient has failed to comply substantially with any material provision of NAHASDA resulting in continued federal expenditures not authorized by law.

Upon noncompliance with the law due to technical incapacity, requires a recipient to enter into a "performance agreement" with the Secretary before the Secretary can provide technical assistance.

For section 8 vouchers currently being used by an Indian tribe, requires counting such vouchers under the NAHASDA block grant allocation formula to ensure that families currently participating in the Section 8 voucher program will continue to be funded.

Repeals requirement regarding the certification of compliance with subsidy layering requirements with respect to housing assisted with grant amounts provided under the Act.

Subtitle B—Native Hawaiian Housing

Section 511. Short title. Provides that the subtitle may be cited as the "Hawaiian Homelands Homeownership Act of 2000."

Section 512. Findings. Finds that Native Hawaiians continue to have the greatest unmet need for housing and the highest rates of overcrowding in the United States, and that Congress finds it necessary to extend the Federal low-income housing assistance available under the Native American Housing and Self-Determination Act of 1996 to those Native Hawaiians.

Section 513. Housing assistance. Provides the Secretary of HUD with authority to establish a program for the provision of block grants for affordable housing activities for

Native Hawaiians, within the Native American Housing Assistance and Self-Determination Act of 1996. The Secretary is to be guided by the program requirements of titles I, II and IV of the Native American Housing Assistance and Self-Determination Act in the implementation of housing assistance programs for Native Hawaiians under this title. The Secretary may make exceptions to, or modifications of, program requirements as necessary and appropriate to meet the unique situation and housing needs of Native Hawaiians. Sets forth definitions, the requirements associated with housing plans, and other program requirements.

Section 514. Loan guarantees. Provides for loan guarantees for Native Hawaiian Housing. Loans guaranteed by the Secretary pursuant to this title shall be in amounts not to exceed one hundred percent of the unpaid principal and interest that is due on an eligible loan. A loan is an eligible loan if that loan is made only to a borrower who is a Native Hawaiian family, the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, or a private nonprofit organization experience in the planning and development of affordable housing for Native Hawaiians.

TITLE VI—MANUFACTURED HOUSING IMPROVEMENT

Section 601. Short Title References. States that this title may be cited as the "Manufactured Housing Improvement Act of 2000."

Section 602. Findings and purposes. Current law provisions are replaced with a more detailed statement of the original intent of Congress when it enacted the Federal Manufactured Home Construction and Safety Standards Act. Adds a consensus standards development process to the purpose of the act. Expresses the continuing need for affordability and the need for objective, performance-based standards, while emphasizing the need for consumer protection.

Section 603. Definitions. Adds several definitions to Section 603 of current law concerning the consensus committee and the consensus standards development process (Section —4). Adds a definition for the monitoring function and related definitions for primary inspection agency, design approval inspection agency, and production inspection primary inspection agency duties, which had not been previously defined. The term "dealer" has been replaced throughout with the term "retailer."

Section 604. Federal manufactured home construction and safety standards. Section 604 of current law (P.L. 93-383) is revised to establish a consensus committee that would submit recommendations to the Secretary of HUD for developing, amending and revising both the Federal Manufactured Home Construction and Safety Standards and the enforcement regulations. These recommendations would be published in the Federal Register for notice and comment prior to final adoption by the Secretary. The committee shall be composed of 21 voting members, appointed by the Secretary, based on recommendations of administering organizations, who shall be qualified individuals (7 producers of manufactured housing, 7 users of manufactured housing, and 7 general interest groups and/or public officials), and one additional non-voting member to represent the Secretary on the consensus committee. The committee would function in accordance with the American National Standards Institute (ANSI) procedures for the development and coordination of American National Standards.

If the Secretary fails to take final action on a proposed revised standard, the Secretary shall appear before the housing and appropriation subcommittees and committees of the House of Representatives and the Senate and state the reason for failure.

Further, if the Secretary does not appear in person as required, the Secretary will be prohibited from expending funds collected under authority of this title in any amount greater than that collected and expended in the fiscal year preceding enactment of the Manufactured Housing Improvement Act of 2000.

The revisions to section 604 would also clarify the scope of federal preemption to ensure that disparate state or local requirements do not affect the uniformity and comprehensive nature of the federal standards. At the same time, the bill would reinforce the proposition that installation standards and regulations remain under the exclusive authority of each state.

Section 605. Abolishment of the National Manufactured Home Advisory Council; manufactured home installation. Section 605 of existing law (P.L. 93-383) would be repealed, abolishing the National Manufactured Home Advisory Council, which is replaced by the consensus committee formed under Section —04. A new section 605 is added, entitled "Section 605. Manufactured Home Installation," which give states five years to adopt an installation program. During this five-year period, the Secretary of the Department of Housing and Urban Development (HUD) and the Consensus Committee are charged with constructing a "model" manufactured housing installation program. In states that choose not to adopt an installation program, HUD may contract with an appropriate agent in those states to implement the "model" installation program.

Section 606. Public information. Amends current requirements governing cost information of any new standards submitted by manufacturers to the Secretary by requiring the Secretary to submit such cost information to the consensus committee for evaluation.

Section 607. Research, Testing, Development, and Training. Requires HUD Secretary to conduct research, testing, development and training necessary to carry out the purposes of facilitating manufactured housing, including encouraging GSE's to develop and implement secondary market securitization programs for FHA manufactured home loans, and reviewing the programs for FHA manufactured home loans and developing any changes to such programs to promote the affordability of manufactured homes.

Section 608. Prohibited Acts. Requires continued compliance with the requirements for the installation program required by Section 605 in any State that has not adopted and implemented a State installation program.

Section 609. Fees. Amends current section 620 by allowing the Secretary to use industry label fees for the administration of the consensus committee, hiring additional program staff, for additional travel funding, funding of a non-career administrator to oversee the program, and for HUD's efforts to promote the availability and affordability of manufactured housing. Prohibits the use of label fees to fund any activity not expressly authorized by the act, unless already engaged in by the Secretary, makes expenditure of label fees subject to annual Congressional appropriations review. Requires HUD to be accountable for any fee increase by requiring notice and comment rulemaking.

Section 610. Dispute Resolution. In order to address problems that may arise with manufactured homes, Section 610 gives the states five years to adopt a dispute resolution program for the timely resolution of disputes between manufacturers, retailers, and installers regarding the responsibility for the correction or repair of defects in manufactured homes that are reported during the one year period beginning on the date of installation. This also requires state

issuance of appropriate orders for the correction or repair of defects in the manufactured homes that are reported during the 1-year period beginning on the date of installation under the dispute resolution program. In states that choose not to adopt their own dispute resolution program, HUD may contract with an appropriate agent in those states to implement a dispute resolution program.

Section 611. Elimination of annual report requirement. Eliminates existing annual reporting by the Secretary to Congress on manufactured housing standards.

Section 612. Effective date. Effective date of the legislation is the date of enactment, except that interpretive bulletins or orders published as a proposed rule prior to the date of enactment shall be unaffected.

Section 613. Savings provision. Existing manufactured housing standards are maintained in effect until the effective date of the Federal manufactured home construction and safety standards pursuant to the amendments made by this act.

TITLE VII—RURAL HOUSING HOMEOWNERSHIP

Section 701. Guarantees for refinancing of rural housing loans. Amends Section 502(h) of the Housing Act of 1949 to allow borrowers of Rural Housing Service single-family loans to refinance an existing direct or guarantee loan with a new guarantee loan, provided the interest rate is at least equal or lower than the current interest rate being refinanced; the same home is used as security; the principle is equal or lower than the refinanced amount plus closing costs, discount points not exceeding 2 basis points and, an origination fee prescribed by the Agriculture Secretary [HR 3834 (Andrews) Homeowners Financing Protection Act (passed the House under suspension on September 19, 2000).]

Section 702. Promissory note requirement under housing repair loan program. Increases amount of promissory note (instead of use of liens on property) amounts from \$2,500 to \$7,500 (adjusted from late 1970's amount to account for home repairs, e.g. roofing, heating systems, windows, etc.) without going through the formal loan process.

Section 703. Limited partnership eligibility for farm labor housing loans. Technical amendment that clarifies that limited partnerships are eligible for loans under Section 514 (Farm Labor Housing) in cases where the general partner is a nonprofit entity.

Section 704. Project accounting records and practices. Sets forth accounting and record keeping requirements, including maintaining accounting records in accordance with generally accepted accounting principles for all projects that receive funds under this program; retaining records available for inspection by the USDA Secretary for not less than six years, and other requirements.

Section 705. Definition of rural area. Extends designation of rural areas, for purposes of the Rural Housing Service housing programs, for a narrow category of communities until the 2010 census.

Section 706. Operating assistance for migrant farmworkers projects. Allows Section 521 operating assistance for farm labor housing complexes where "mixed" migrant and annual workers will live.

Section 707. Multifamily rental housing loan guarantee program. Allows Native Americans to become eligible borrowers under the multifamily loan guarantee program; authorizes a "balloon payment" as a financing option; allow fees from lenders to be used to help offset program costs; and repeals existing prohibition against the transfer of property title from the lender to the federal government as well as the prohibi-

tion against the transfer of liability from one borrower to another.

Section 708. Enforcement provisions. Provides criminal penalties and civil sanctions for violations of program requirements.

Section 709. Amendments to title 18 of the United States Code. Amends Title 18 of the U.S. Code—Money Laundering—to strengthen enforcement and prosecution of program fraud and abuse.

TITLE VIII—HOUSING FOR ELDERLY AND DISABLED FAMILIES

Section 801. Short Title. This title may be cited as the "Affordable Housing for Seniors and Families Act."

Section 802. Regulations. Provides that the Secretary of HUD shall issue regulations implementing the provisions of this title only after notice and opportunity for public comment.

Section 803. Effective Date. Provides that the provisions of the title are effective upon enactment unless such provisions specifically provide for effectiveness or applicability upon another date certain.

Subtitle A—Refinancing for Section 202 Supportive Housing for the Elderly

Section 811. Prepayment and refinancing. Requires the Secretary to approve prepayment of mortgages for Section 202 properties if the sponsor (owner) continues the low-income use restrictions. Requires that upon refinancing, the Secretary make available at least 50% of annual savings resulting from reduced Section 8 or other rental housing assistance in a manner that is advantageous to tenants, which may include increasing supportive services, rehabilitation, modernization, and retrofitting of structures, and other specified purposes.

This allows sponsors to build equity in their project that can be used to refinance at lower interest rates. The refinancing may result in lower project based Section 8 if the sponsor elects lower debt service in addition to the lower interest rate. The savings can then be used for improvements to the facility or services for residents.

Subtitle B—Authorization of Appropriations for Supportive Housing for the Elderly and Persons with Disabilities

Section 821. Supportive housing for elderly persons. Authorizes such sums for the existing program of supportive housing for the elderly (section 202 housing) for FY 01 and "such sums as may be necessary" for FY 02, and FY 03.

Section 822. Supportive housing for persons with disabilities. Authorizes such sums for the existing program of supportive housing for the disabled (section 811 housing) for FY 01 and "such sums as may be necessary" for FY 02, and FY 03.

Section 823. Service coordinators and congregate services for elderly and disabled housing. Authorizes such sums for grants for service coordinators, who link residents with supportive or medical services in the community, for certain federally assisted multifamily housing projects for FY 01 and "such sums as may be necessary" for FY 02, and FY 03.

Subtitle C—Expanding Housing Opportunities for the Elderly and Persons with Disabilities

PART 1—HOUSING FOR THE ELDERLY

Section 831. Eligibility of for-profit limited partnerships. Allows 202 sponsors to form limited partnerships with for-profits, but the nonprofits must be the controlling partner. Through this partnership, the sponsors could compete for the low income housing tax credit. With this change, owners could build bigger developments and achieve scale economies. The units financed under Section

202 would be governed by those rules, and the tax credit units would be governed under those rules. States would still be making the decision who gets the LIHTC, and the limited partnerships would have to compete like everybody else.

Section 832. Mixed funding sources. Allows private non-profit housing providers to use all sources of financing, including Federal funds, for amenities, relevant design features and construction of affordable housing for seniors.

Section 833. Authority to acquire structures. Removes limitation allowing private non-profit housing providers to acquire only RTC-held properties. RTC went out of business. This provision allows 202 projects to acquire properties.

Section 834. Use of project reserves. Project reserves, a set-aside account funded through rent receipts for repairs to the building's structure or infrastructure over the years (roof, elevator, etc.), may be used to reduce the number of dwelling units in the 202 project. The use of these funds is subject to the Secretary's approval to ensure the use is designed to retrofit obsolete or unmarketable units.

During the cost containment phase of the Section 202 program, many efficiencies were built. In many cases, it is preferable to convert efficiencies to 1 or 2 bedroom apartments. In other instances, the project may want to reduce units to make room for a clinic or community space.

Section 835. Commercial activities. Makes clear that commercial facilities may be located and operated in Section 202 projects, as long as the business is not subsidized with 202 funds. These facilities can benefit residents and bring some additional revenue (rent) to the project.

PART 2—HOUSING FOR PERSONS WITH DISABILITIES

Section 841. Eligibility of for-profit limited partnerships. Provides that for-profit limited partnerships are eligible to participate in the 811 program established under this Act. The nonprofit will be the controlling partner, and the limited partnership may compete for the LIHTC.

Section 842. Mixed funding sources. Allows private non-profit housing providers to use all sources of financing, including Federal funds, for amenities, relevant design features and construction of affordable housing for the disabled.

Section 843. Tenant-based assistance for persons with disabilities. Provides that tenant-based rental assistance provided under Section 811 of the Cranston-Gonzalez National Affordable Housing Act may be provided by a private nonprofit organization as well as by a public housing agency as under current law.

Section 844. Use of project reserves. Project reserves may be used to reduce the number of dwelling units in an 811 project to retrofit obsolete or unmarketable units. Allows flexibility to design the project in a way that makes it more comfortable & appealing for the residents.

Section 845. Commercial Activities. Clarifies that commercial facilities may be located and operated in Section 811 projects, as long as the business is not subsidized with 811 funds.

PART 3—OTHER PROVISIONS

Section 851. Service coordinators. Allows service coordinators to assist low-income elderly or disabled families living in the vicinity of an eligible federally assisted project. Requires HUD and HHS to develop standards for service coordinators in federally assisted housing to educate seniors about telemarketing fraud and facilitating prosecution of such fraud. This change will make the

project a focal point of the community, address the isolation many seniors feel particularly in rural areas—and help seniors protect themselves against fraud.

SUBTITLE D—PRESERVATION OF AFFORDABLE HOUSING STOCK

Section 861. Section 236 Assistance. Allows owners of uninsured Section 236 projects to retain excess income. This money is needed for repairs to the aging projects. The FY 00 VA-HUD bill allowed uninsured Section 236 owners to retain excess income (which results when 30% of somebody's income exceeds the base rent established by HUD), but the authority had to be approved on an annual basis through the appropriations process. This provision puts the uninsured 236s on equal footing with the FHA insured projects, which are already allowed to retain excess income.

To the extent a project owner has remitted excess income charges to HUD since the date of enactment of the FY 1999 appropriations Act, the Department may return to the relevant project owner any such excess charges remitted. This would put these owners on an equal footing with those owners who had retained these excess charges and whom HUD has, through notice, permitted to retain such excess income.

TITLE IX—OTHER RELATED HOUSING PROVISIONS

Section 901. Extension of Loan Term for Manufactured Home Lots. Extends the loan terms for manufactured home lots financed by insured financial institutions from 15 years, 32 days to 20 years, 32 days.

Section 902. Use of Section 8 Vouchers for Opt-Outs. Amends the VA, HUD and Independent Agencies Appropriations Act of FY 2001 by changing the effective date when Section 8 vouchers may be used in situations where owners opt out of the program from 1996 to 1994.

Section 903. Maximum payment standard for enhanced vouchers. Amends the VA, HUD and Independent Agencies Appropriations Act of FY 2001 to require that HUD may not limit the value of enhanced vouchers as provided under the statute if such limit would adversely affect the assisted families to which enhanced vouchers are provided.

Section 904. Use of section 8 assistance by "grand-families" to rent dwelling units in assisted projects. Allows HOME funds (in rental units otherwise not eligible for HOME funds) to be used for facilities with units with low-income families having a grandparent residing with a grandchild, or in some cases, where great- and great-great grandchildren are residing in the unit, with neither of the child's parents residing in the household.

TITLE X—FEDERAL RESERVE BOARD PROVISIONS

Section 1001. Federal Reserve Board Buildings. Allows the Federal Reserve Board to have more than one building.

Section 1002. Positions of Board of Governors of Federal Reserve System on the Executive Schedule. Raises the pay of the Chairman of the Federal Reserve Board from Level II of the Executive Schedule to Level I (approx. \$14,800) and the Board Members from Level III to Level II (approx. \$10,500).

Section 1003. Amendments to the Federal Reserve Act. Provides a new reporting requirement to replace the expired provisions relating to the semi-annual "Humphrey-Hawkins" reports requirements. Section 1002 requires the Chairman of the Federal Reserve Board to appear before Congress at semi-annual hearings to discuss monetary policy as well as economic developments and prospects for the future. The Chairman will appear before the House Banking Committee

around February 20 of even numbered years and July 20 of odd numbered years, and before the Senate Banking Committee on February 20 of odd numbered years and July 20 of even numbered years. Either Committee may request the Chairman to appear after his scheduled appearance before the other.

Requires the Federal Reserve Board to submit, concurrent with each semi-annual hearing, a written report to both Committees discussing the same subjects, taking into account developments in employment, unemployment, production, investment, real income, productivity, exchange rates, international trade and payments, and prices.

TITLE XI—BANKING AND HOUSING AGENCY REPORTS

Section 1101. Short title. The title is cited as the "Federal Reporting Act of 2000."

Section 1102. Preservation of certain reporting requirements. This Section reinstates certain reports which expired in May 2000 pursuant to the Federal Reports Elimination and Sunset Act of 1995.

(1) President's economic report, together with the annual report of the Council of Economic Advisors. Due: During first 20 days of each regular session.

(2) President's report on impact of offsets on the defense preparedness, industrial competitiveness, employment, and trade of the U.S. Due: Annually (to Banking and Armed Services Committees) (This report discloses impact on the U.S. economy in cases where foreign governments, to justify the purchase of U.S.-made defense systems, require technology transfers or direct in-country investments. Such concessions ensure the sale but may impair future sales or enhance the production capacity of a potential foreign competitor to the U.S.)

(3) Commerce Department report on operations under the Public Works and Economic Development Act of 1965 (by the Economic Development Administration) Due: Annually.

(The EDA provides grants for public works and other assistance to alleviate unemployment in economically distressed areas.)

(4) HUD's agenda of all rules and regulations under development or review. Due: Semiannually (to Banking Committee).

(5) HUD report on early defaults on FHA-insured loans. Due: Annually. (The report includes data on lenders and the numbers of loans they make—and defaults and foreclosures thereon—by census tract.)

(6) Two HUD Reports related to civil rights: (a) Progress in eliminating discriminatory housing practices. Due: Annually. (The report reviews the nature and extent of progress in eliminating housing discrimination practices, obstacles remaining, and recommendations for legislation or executive action.) and (b) Data on applicants, participants, and beneficiaries of the programs administered by HUD. Due: Annually. (The report provides data on race, color, religion, sex, national origin, age, handicap, and family characteristics of applicants or participants in HUD programs.)

(7) Two HUD reports related to lead-based paint hazards: (a) Assessment of the progress made in implementing the various programs authorized by the Act. Due: Annually. (This report covers research/studies into lead poisoning and recommendations for legislative or other action to improve HUD's performance in combating such hazards.); and (b) Progress of the Department in implementing expanded lead-based paint hazard evaluation and reduction activities. Due: Biennially. (This report is related to the one above and provides an assessment of HUD's progress in various lead-based paint abatement programs.)

(8) FHA annual report. Due: Annually. (The report provides an analysis of income-demographic borrower information, specifically

related to incomes not exceeding 100% of area median income (AMI), 80% of AMI, 60% of AMI; minority, central city and rural borrowers; and, HUD activities to ensure participation by these groups.)

(9) HUD annual report. Due: Annually. (This is an annual report by the Secretary to the President for submission to the Congress on all operations and programs under HUD's jurisdiction during the previous year.)

(10) HUD annual report. Due: Annually. (This is a general requirement for an annual report from the Secretary to the President on the activities of HUD for submission to Congress.)

(11) FEMA report on operations under the National Flood Insurance Act of 1968. Due: Biennially. (This report covers operations of the national flood insurance program offered to communities which enforce flood plain management measures.)

(12) HUD report on Indians and Alaska Native housing and community development. Due: Annually. (The report covers the housing needs of Indian tribes in the U.S. and HUD's activities in meeting such needs. It includes estimates of the costs of projected activities for succeeding fiscal years, statistics on the conditions of Indian and Alaska Native housing, and recommendations for new legislation.)

(13) HUD report on actuarial soundness of the Mutual Mortgage Insurance Fund. Due: Annually. (The report describes HUD actions to ensure the Fund maintains a capital ratio of at least 1.25 percent.)

(14) Treasury Department report on progress in enhancing human rights through U.S. participation in international financial institutions. Due: Quarterly (to Banking and International Relations Committees).

(15) Treasury Department reports: (a) Financial statement and report of transactions of the Exchange Stabilization Fund (ESF). Due: Monthly (to Banking Committee); and (b) Operations of the ESF. Due: Annually.

(16) OCC, FDIC, and Federal Reserve Board reports on activities of the consumer affairs division. Due: Annually. (These reports describe actions taken by the agencies to prevent unfair or deceptive acts or practices by banks and to address consumer complaints.)

(17) OCC Annual Report. Due: Annually.

(18) OTS report on minority institutions. Due: Annually. (This report relates to OTS actions to preserve minority ownership of minority financial institutions many of which serve lower income and minority communities.)

(19) Appalachian Regional Commission report of activities. Due: Annually. (The report covers Federal-State activities to support economic development in the 13 Appalachian states.)

(20) Export-Import Bank reports: (a) Export financing competition. Due: Annually. (This report reviews how well Exim's programs compete with those of other export credit agencies, and includes other "sub-reports" which will also continue, i.e. the Trade Promotion Coordinating Committee (TPCC) Strategic Plan, Advisory Committee comments on Exim's competitiveness, and Competitive Insurance Opportunities report on Exim deals with respect to countries that deny opportunities to US insurance companies.); (b) Tied aid credits. Due: Biennially. (This report covers the tied aid credit program under which grants are made to supplement financing for a US export when it appears predatory financing will be available from another country for a competitor's product.); and (c) Operations as of the close of business each fiscal year. Due: Annually. (This report includes other "sub-reports" which would also be retained, i.e. environmental exports and small business exports. Three other sub-reports are listed for repeal under Section 1005.)

(21) FDIC report on operations of the Corporation. Due: Annually. (The report also includes information on the BIF and SAIF.)

(22) Federal Financing Bank report on activities of the Bank. Due: Annually. (The FFB lends to federal agencies to reduce the cost of borrowing, ensure coordination of borrowings with federal fiscal and debt management, and assure minimal disruption of private markets and institutions.)

(23) Federal Housing Finance Board Annual Report. Due: Annually.

(24) Federal Reserve survey of bank fees and services. Due: Annually. (The report covers discernible changes in cost and availability of bank services.)

(25) Federal Reserve assessment of the profitability of credit card operations of depository institutions. 15 U.S.C. 1637 Due: Annually. (The report also discusses trends in credit card interest rates.)

(26) Federal Reserve report on credit card price and availability information. Due: Semiannually. (The Board provides information on a sample of 150 card issuers twice a year.)

(27) Federal Reserve activities under the Equal Credit Opportunity Act. Due: Annually. (This information is included in the Board's annual report.)

(28) Federal Reserve report on administration of and recommendations as to changes in the Truth in Lending Act. Due: Annually. (The report provides information on compliance with TILA regulations.)

(29) Federal Reserve Board of Governors report of activities. Due: Annually.

(30) Federal Reserve report on policy actions of the Federal Open Market Committee and the Board. Due: Annually. (This is included in the Fed's annual report.)

(31) Federal Trade Commission's reports on administration of the Fair Debt Collection Practices Act. Due: Annually. (The report covers elimination of abusive debt collection practices.)

(32) National Credit Union Administration's report on operations and financial information. Due: Annually.

(33) Treasury Department report on activities and audit of financial statement of the Resolution Funding Corporation. Due: Annually. (REFCORP was established by FIRREA to raise funding for RTC resolution of insolvent S&Ls. Funds are appropriated to Treasury to pay interest on obligations issued by REFCORP.)

(34) Neighborhood Reinvestment Corporation's annual report. Due: Annually. (The corporation was set up to continue the work of the Urban Reinvestment Task Force in establishing neighborhood housing services and providing grants and technical assistance to facilitate reinvestment.)

(35) Voluntary agreements under the Defense Production Act. Due: At least annually. (This report is due to the Congress and the President from any individual(s) designated by the President, describing voluntary agreements and plans of action in effect for preparedness programs and expansion of production capacity and supply.)

(36) Justice Department report on data collection re banks and banking. Due: Quarterly. (This report details civil and criminal investigations and prosecutions relating to banking law offenses.)

(37) Federal Housing Administration Advisory Board report on assessment of the activities of the Federal Housing Administration; effectiveness of the Mortgage Review Board. Due: Annually. (This report covers the soundness of FHA's underwriting procedures and other activities relating to the FHA's ability to serve nation's homebuyers and renters, as well as the effectiveness of the Mortgage Review Board which takes action against mortgagees in violation of the

Fair Housing Act or other statutory requirements.)

Section 1103. Coordination of Reporting Requirements. Subsection (a) requires the FDIC's annual report to include the agency's annual consumer affairs report.

Subsection (b) requires the annual report of the Federal Reserve Board of Governor to include the Fed's annual report of activities under the Equal Credit Opportunity Act, the Board's annual consumer affairs report, the annual report on administration of the Truth in Lending Act, and the Fed's annual report on policy actions of the Federal Open Market Committee and the Board.

Subsection (c) requires the OCC annual report to include the agency's annual consumer affairs report.

Subsection (d) requires the Exim Bank's annual report on export financing competition to include the tied aid report, and makes the latter an annual rather than semi-annual report.

Subsection (e) requires HUD's annual report to include the Department's two annual reports required under the Civil Rights Act relating to progress in eliminating housing discrimination and data on applicants and participants in HUD programs, the Department's annual and biennial reports on lead based paint, the Department's annual report on all HUD programs and operations, and HUD's annual report on housing programs related to Indians and Alaskan Natives.

Subsection (f) requires the annual report of the Federal Housing Administration to include the annual report on early defaults on FHA-insured loans and the annual report on the actuarial soundness of the Mutual Mortgage Insurance Fund.

Subsection (g) amends the International Financial Institutions Act to change Treasury's report on promoting human rights through international financial institutions from a quarterly report to an annual report.

Section 1104. Elimination of certain reporting requirements. Provides for the repeal of certain Export-Import Bank reports. One is a report from the President requesting legislation if the amount of direct loan authority or guarantee authority available to the Export-Import Bank for the fiscal year involved exceeds the amount necessary. This report is being repealed because it is a corollary to the President's annual report on sufficiency of Exim authority which expired pursuant to the sunset. There are four "sub-reports" to Exim's annual report that are also to be repealed: (1) a report on specific Exim's programs and activities to promote nonnuclear renewable energy resources and description of Exim's actions to assist small business which is being repealed because this information is already included in other reports; (2) a report on Exim's actions on maintaining "key linkage industries" which is unnecessary because Exim's annual report covers exports for various industries; (3) a report on Exim's measures to supplement financing for agricultural commodities which was enacted 20 years ago but which is no longer needed with Exim continuing to be involved in this area; and (4) a report on Exim's programs on the export of services which is also covered in the annual report since it is part of Exim's activities.

This section also provides for the repeal of a semi-annual FDIC report on the agency's efforts to maximize the efficient use of private sector contractors to manage assets held by the agency. There is little need for the report today since assets have declined significantly since 1991. The 1999 report showed the agency had only about 3% of the assets in liquidation it had 7 years earlier.

TITLE XII—FINANCIAL REGULATORY RELIEF

Section 1200. Short Title. This title may be cited as the "Financial Regulatory Relief and Economic Efficiency Act of 2000."

Section 1201. Repeal of Savings Association Liquidity Provision. Repeals unnecessary provisions relating to savings association liquidity requirements.

Section 1202. Non-controlling Investments by Savings Association Holding Companies. Allows a savings and loan holding company to acquire a five to twenty-five percent non-controlling interest of another SLHC or savings association, subject to the approval of the Director of the OTS.

Section 1203. Repeal of Deposit Broker Notification and Record Keeping Requirement. Repeals requirement that brokers file a written notice with the FDIC before soliciting or placing deposits with an insured depository institution.

Section 1204. Expedited Procedures for Certain Reorganizations. Simplified procedures for a national bank reorganizing into a bank holding company.

Section 1205. National Bank Directors. Permits national banks to elect directors to terms of up to 3 years on a staggered basis. Permits Comptroller to remove the limitation on the number of board members.

Section 1206. Amendment to Bank Consolidation and Merger Act. Permits national bank, upon approval of Comptroller, to merge or consolidate with its subsidiaries or nonbank affiliates—with no increase in powers for the national bank.

Section 1207. Loans on or Purchases by Institutions of their own Stock. Repeals prohibition on a bank owning or holding its stock, but retains prohibition on making loans or discounts on the security of its own stock.

Section 1208. Purchased Mortgage Servicing Rights. Authorizes the appropriate Federal banking agencies to jointly simplify capital calculations by not requiring banks or thrifts to distinguish between types of mortgage servicing rights. This would allow regulators to value marketable mortgages servicing assets in capital determinations up to 100% of their fair market value rather than the current level which is limited to 90% of fair market value.

Subtitle B—Streamlining Activities of Institutions

Section 1211. Call Report Simplification. Provides for the modernization of the call report filing and disclosure system.

Subtitle C—Streamlining Agency Actions

Section 1221. Elimination of Duplicative Disclosure of Fair Market Value of Assets and Liabilities. Clarifies that banking agencies need no longer pursue further development of the supplemental disclosure method. Even so, Section 36 of FDIA and its supporting regulations provide agencies with discretion to seek additional information in regulatory reports and annual reports regarding fair market value.

Section 1222. Payment of Interest in Receiverships With Surplus Funds. Gives the FDIC the authority to establish a uniform interest rate with regard to receiverships.

Section 1223. Repeal of Reporting Requirements on Differences in Accounting Standards. Amends the requirement for each agency to produce an Annual Report on "Agency Differences in Reporting Capital Ratios and Related Standards." Instead, this provision directs the Federal banking agencies to jointly produce one report.

Section 1224. Extension of Time. Extends deadline for new FHLB capital rules from 12 months to 18 months.

Subtitle D—Technical Corrections

Section 1231. Technical Correction Relating to Deposit Insurance Funds. Makes technical correction to FDIA.

Section 1232. Rules for Continuation of Deposit Insurance for Member Banks Converting Charters. Makes technical changes with regard to a cross-reference cite.

Section 1233. Amends to the Revised Statutes of the United States.

1233(a) Provides that the Comptroller may waive the U.S. citizenship requirement for up to a minority of a national bank's directors. The Economic Growth and Regulatory Paperwork Reduction Act (EGRPRA) inadvertently deleted the long-standing authority of the Comptroller to waive the citizenship requirement for up to a minority of directors of national banks that are subsidiaries of affiliates of foreign banks.

1233(b) Updates Section 11 to reflect that national banks no longer issue national currency, while maintaining the provision that prohibits the Comptroller from owning interest in the national banks they regulate.

1233(c) Repeals Section 5138 of the Revised Statutes (first enacted in 1864), which imposes minimum capital requirements for national banks. This minimum capital requirement (ranging from \$50,000 to \$200,000) is obsolete, since Congress granted the Federal banking agencies the regulatory authority to establish minimum capital requirements in 1983.

Section 1234. Conforming Changes to the International Banking Act of 1978. Allows branches and agencies of foreign banks that satisfy the asset test imposed on domestic banks to be examined on an 18-month cycle instead of the 12-month cycle.

ADDITIONAL COSPONSORS

S. 664

At the request of Mr. L. CHAFEE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 1716

At the request of Mr. TORRICELLI, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Maryland (Ms. MILULSKI) were added as cosponsor of S. 1716, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes.

S. 2084

At the request of Mr. LUGAR, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

S. 2363

At the request of Mr. CRAPO, the name of the Senator from Utah (Mr.

HATCH) was added as a cosponsor of S. 2363, a bill to subject the United States to imposition of fees and costs in proceedings relating to State water rights adjudications.

S. 2434

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2434, a bill to provide that amounts allotted to a State under section 2401 of the Social Security Act for each of fiscal years 1998 and 1999 shall remain available through fiscal year 2002.

S. 2585

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2585, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of the States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

S. 3145

At the request of Mr. BREAU, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 3145, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment under the tax-exempt bond rules of prepayments for certain commodities.

S. 3211

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 3211, a bill to authorize the Secretary of Education to provide grants to develop technologies to eliminate functional barriers to full independence for individuals with disabilities, and for other purposes.

S. 3250

At the request of Mr. BROWNBACK, the names of the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. MCCAIN), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 3250, a bill to provide for a United States response in the event of a unilateral declaration of a Palestinian state.

S. 3269

At the request of Mr. SPECTER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3269, a bill to establish a Commission for the comprehensive study of voting procedures in Federal, State, and local elections, and for other purposes.

AMENDMENT NO. 3996

At the request of Mr. JOHNSON, his name was added as a cosponsor of Amendment No. 3996 proposed to H.R. 4461, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

AMENDMENT TO 2ND QUARTER 2000 CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM MAY 1 TO JUNE 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steve Cortese:									
Japan	Yen		262.00						262.00
South Korea	Won		678.00						678.00
Jennifer Chartrand:									
Japan	Yen		393.00						393.00
South Korea	Won		678.00						678.00
Tom Hawkins:									
Japan	Yen		393.00						393.00
South Korea	Won		678.00						678.00
Total			3,082.00						3,082.00

TED STEVENS,
Chairman, Committee on Appropriations, Oct. 25, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1, TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Harkin:									
United States	Dollar				6,378.42				6,378.42
Korea	Dollar		276.00						276.00
China	Dollar		1,241.60.00						1,241.60
China	Yuan		2,566.39						2,566.39
Hong Kong	Dollar		690.00						690.00
Indonesia	Dollar		75.00						75.00
East Timor	Dollar		320.00						320.00
Australia	Dollar		214.00						214.00
Peter Reinecke:									
United States	Dollar				6,622.42				6,622.42
Korea	Dollar		552.00						552.00
China	Dollar		1,241.60.00						1,241.60
China	Yuan		310.40						310.40
Hong Kong	Dollar		690.00						690.00
Indonesia	Dollar		75.00						75.00
East Timor	Dollar		320.00						320.00
Australia	Dollar		214.00						214.00
Senator Ted Stevens:									
United Kingdom	Dollar		793.00						793.00
Senator Thad Cochran:									
United Kingdom	Dollar		1,074.00						1,074.00
Steve Cortese:									
United Kingdom	Dollar		1,074.00						1,074.00
Sid Ashworth:									
United Kingdom	Dollar		1,074.00						1,074.00
Andy Givens:									
United Kingdom	Dollar		1,074.00						1,074.00
Gary Reese:									
United Kingdom	Dollar		1,074.00						1,074.00
John Young:									
United Kingdom	Dollar		1,074.00						1,074.00
Fred Pagan:									
United Kingdom	Dollar		1,074.00						1,074.00
Total			17,096.99		13,000.84				30,097.83

TED STEVENS,
Chairman, Committee on Appropriations, Oct. 23, 2000.

AMENDMENT TO 1ST QUARTER 2000 CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1, TO MAR. 31, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Warner:									
Morocco	Dollar		472.00						472.00
Macedonia	Dollar		444.00						444.00
Bosnia and Herzegovina	Dollar		351.00						351.00
United Kingdom	Dollar		762.00						762.00
France	Dollar		323.00						323.00
Romie L. Brownlee:									
Morocco	Dollar		372.00						372.00
Macedonia	Dollar		444.00						444.00
Bosnia and Herzegovina	Dollar		351.00						351.00
United Kingdom	Dollar		381.00						381.00
Judith A. Ansley:									
Morocco	Dollar		372.00						372.00
Macedonia	Dollar		444.00						444.00
Bosnia and Herzegovina	Dollar		351.00						351.00
United Kingdom	Dollar		762.00						762.00
France	Dollar		323.00						323.00
Total			6,152.00						6,152.00

JOHN WARNER,
Chairman, Committee on Armed Services, Sept. 30, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SECTION 22, P.L. 95384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1, TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator James Inhofe:									
United Kingdom	Pound	716	1,074.00						1,074.00
Total			1,074.00						1,074.00

JOHN WARNER,
Chairman, Committee on Armed Services, Sept. 30, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JULY 1, TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Phil Gramm:									
United Kingdom	Pound		1,442.00						1,442.00
Netherlands	Guilder		492.00						492.00
Belgium	Franc		741.00						741.00
Senator Jim Bunning:									
United Kingdom	Pound		1,442.00						1,442.00
Netherlands	Guilder		492.00						492.00
Belgium	Franc		741.00						741.00
Senator Mike Crapo:									
United Kingdom	Pound		1,442.00						1,442.00
Netherlands	Guilder		492.00						492.00
Belgium	Franc		741.00						741.00
Ruth Cymber:									
United Kingdom	Pound		1,215.68						1,215.68
Netherlands	Guilder		492.00						492.00
Belgium	Franc		741.00						741.00
Lendell Porterfield:									
Finland	Dollar		474.00		4,887.30				5,361.30
Sweden	Dollar		560.00						560.00
Norway	Dollar		522.00						522.00
Denmark	Dollar		476.00						476.00
Total			12,505.68		4,887.30				17,392.98

PHIL GRAMM,
Chairman, Committee on Banking, Housing,
and Urban Affairs, Oct. 11, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22 U.S.C. 1754(b), SENATE BUDGET COMMITTEE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Alice Grant:									
Thailand	Dollar		696.00						696.00
Cambodia	Dollar		230.00						230.00
Vietnam	Dollar		802.00						802.00
Hong Kong	Dollar	2,691.00	345.00						345.00
	Dollar				4,026.21				4,026.21
Senator Frank Lautenberg:									
China	Dollar		2,322.00						2,322.00
	Yuan	2,976.48	360.00						360.00
	Dollar				4,302.21				4,302.21
Frederic Baron:									
China	Dollar		2,284.00						2,284.00
	Yuan	2,976.48	360.00						360.00
					4,775.21				4,775.21
Total			7,399.00		13,103.63				20,502.63

PETE V. DOMENICI,
Chairman, Committee on Budget, Sept. 28, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95—384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM JULY 1, TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Margaret F. Spring:									
Canada	Dollar		376.56		545.15				921.71
Samuel E. Whitehorn:									
Canada	Dollar	816.52	548.00					816.52	548.00
United States	Dollar				358.00				358.00
Total			924.56		903.15				1,827.71

JOHN MC CAIN,
Chairman, Committee on Commerce,
Science, and Transportation, Oct. 3, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
David Garman:									
Finland	Finmark	4,349.40	659.00	.....	5,565.55	.....	.....	4,349.40	6,224.55
Total .....	.....	.....	659.00	.....	5,565.00	.....	.....	.....	6,224.55

FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, Sept. 30, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JUNE 24 TO JULY 1, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Richard Chriss:									
Switzerland	Franc	3,268.93	1,512.11	.....	1,934.94	.....	.....	3,268.93	3,447.05
Total .....	.....	.....	1,512.11	.....	1,934.94	.....	.....	.....	3,447.05

BILL ROTH,
Chairman, Committee on Finance, Oct. 24, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bill Frist:									
Kenya	Dollar .....	.....	987.00	.....	.....	.....	.....	.....	987.00
Sudan	Dollar .....	.....	125.00	.....	.....	.....	.....	.....	125.00
United States	Dollar .....	.....	.....	.....	8,331.94	.....	.....	.....	8,331.94
Senator Robert Torricelli:									
Dominican Republic	Dollar .....	.....	162.00	.....	.....	.....	.....	.....	162.00
United States	Dollar .....	.....	.....	.....	1,219.46	.....	.....	.....	1,219.46
Stephen Biegun:									
Israel	Dollar .....	.....	1,402.00	.....	.....	.....	.....	.....	1,402.00
Jordan	Dollar .....	.....	696.00	.....	.....	.....	.....	.....	696.00
United States	Dollar .....	.....	.....	.....	4,337.80	.....	.....	.....	4,337.80
Jonah Blank:									
Uzbekistan	Dollar .....	.....	1,332.00	.....	.....	.....	.....	.....	1,332.00
Kazakhstan	Dollar .....	.....	313.00	.....	.....	.....	.....	.....	313.00
Kyrgyzstan	Dollar .....	.....	1,220.00	.....	.....	.....	.....	.....	1,220.00
China	Dollar .....	.....	1,735.00	.....	.....	.....	.....	.....	1,735.00
United States	Dollar .....	.....	.....	.....	7,001.00	.....	.....	.....	7,001.00
Dominican Republic	Dollar .....	.....	575.00	.....	.....	.....	.....	.....	575.00
United States	Dollar .....	.....	.....	.....	1,273.80	.....	.....	.....	1,273.80
Robert Epplin:									
Thailand	Dollar .....	.....	696.00	.....	.....	.....	.....	.....	696.00
Cambodia	Dollar .....	.....	230.00	.....	.....	.....	.....	.....	230.00
Vietnam	Dollar .....	.....	802.00	.....	.....	.....	.....	.....	802.00
Hong Kong	Dollar .....	.....	1,035.00	.....	.....	.....	.....	.....	1,035.00
United States	Dollar .....	.....	.....	.....	4,140.22	.....	.....	.....	4,140.22
Heather Flynn:									
Ethiopia	Dollar .....	.....	1,190.00	.....	.....	.....	.....	.....	1,190.00
Kenya	Dollar .....	.....	1,200.00	.....	.....	.....	.....	.....	1,200.00
Eritrea	Dollar .....	.....	800.00	.....	.....	.....	.....	.....	800.00
United States	Dollar .....	.....	.....	.....	7,616.00	.....	.....	.....	7,616.00
Garrett Grigsby:									
Zimbabwe	Dollar .....	.....	1,200.00	.....	.....	.....	.....	.....	1,200.00
United States	Dollar .....	.....	.....	.....	8,871.80	.....	.....	.....	8,871.80
Michael Haltzel:									
Lithuania	Dollar .....	.....	234.00	.....	.....	.....	.....	.....	234.00
Latvia	Dollar .....	.....	269.00	.....	.....	.....	.....	.....	269.00
Estonia	Dollar .....	.....	192.00	.....	.....	.....	.....	.....	192.00
Norway	Dollar .....	.....	555.00	.....	.....	.....	.....	.....	555.00
United States	Dollar .....	.....	.....	.....	5,535.00	.....	.....	.....	5,535.00
Richard Houghton:									
Thailand	Dollar .....	.....	696.00	.....	.....	.....	.....	.....	696.00
Cambodia	Dollar .....	.....	230.00	.....	.....	.....	.....	.....	230.00
Vietnam	Dollar .....	.....	802.00	.....	.....	.....	.....	.....	802.00
Hong Kong	Dollar .....	.....	1,035.00	.....	.....	.....	.....	.....	1,035.00
United States	Dollar .....	.....	.....	.....	4,140.22	.....	.....	.....	4,140.22
Frank Jannuzzi:									
Uzbekistan	Dollar .....	.....	1,332.00	.....	.....	.....	.....	.....	1,332.00
Kazakhstan	Dollar .....	.....	313.00	.....	.....	.....	.....	.....	313.00
Kyrgyzstan	Dollar .....	.....	1,220.00	.....	.....	.....	.....	.....	1,220.00
China	Dollar .....	.....	1,735.00	.....	.....	.....	.....	.....	1,735.00
United States	Dollar .....	.....	.....	.....	7,001.00	.....	.....	.....	7,001.00
James Jones:									
Belgium	Dollar .....	.....	498.00	.....	.....	.....	.....	.....	498.00
United States	Dollar .....	.....	.....	.....	6,581.44	.....	.....	.....	6,581.44
Kenya	Dollar .....	.....	1,477.00	.....	.....	.....	.....	.....	1,477.00
Sudan	Dollar .....	.....	125.00	.....	.....	.....	.....	.....	125.00
United States	Dollar .....	.....	.....	.....	6,700.67	.....	.....	.....	6,700.67
Roger Noriega:									
Mexico	Dollar .....	.....	1,115.00	.....	.....	.....	.....	.....	1,115.00
United States	Dollar .....	.....	.....	.....	469.00	.....	.....	.....	469.00
Total .....	.....	.....	27,528.00	.....	73,219.35	.....	.....	.....	100,747.35

JESSE HELMS,
Chairman, Committee on Foreign Relations, Oct. 5, 2000.

December 5, 2000

CONGRESSIONAL RECORD—SENATE

S11611

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mitchel Kugler:									
Kwajalein Marshall Islands	Dollar		350.00		3,492.95				3,842.95
Senator Daniel Akaka:									
Cuba	Dollar		197.00						197.00
Elise Bean:									
United Kingdom	Dollar		736.00		2,678.79				3,414.79
Robert Roach:									
United Kingdom	Dollar		867.46		2,678.79				3,546.25
Total			2,150.46		8,850.53				11,000.99

FRED THOMPSON,
Chairman, Committee on Governmental Affairs, Oct. 5, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Shelby:									
United States	Dollar				2,754.53				2,754.53
	Dollar		5,791.93		7,083.67				12,875.60
United States	Dollar				4,887.30				4,887.30
	Dollar		2,032.00						2,032.00
Kathy Casey:									
United States	Dollar				2,754.53				2,754.53
	Dollar		5,791.93						5,791.93
Randy Bookout:									
United States	Dollar				2,754.53				2,754.53
	Dollar		4,994.61						4,994.61
United States	Dollar				489.00				489.00
	Dollar		498.00						498.00
Patricia McNerney:									
United States	Dollar				5,376.09				5,376.09
	Dollar		1,105.00						1,105.00
James Barnett:									
United States	Dollar				5,376.09				5,376.09
	Dollar		1,105.00						1,105.00
Linda Taylor:									
United States	Dollar				5,485.80				5,485.80
	Dollar		1,580.00						1,580.00
Michele Lang:									
United States	Dollar				6,013.60				6,013.60
	Dollar		2,431.00						2,431.00
Peter Dorn:									
United States	Dollar				6,013.60				6,013.60
	Dollar		2,431.00						2,431.00
William Duhnke:									
United States	Dollar				4,887.30				4,887.30
	Dollar		1,676.00						1,676.00
Senator Max Baucus	Dollar		260.00			400.00			660.00
Senator Pat Roberts	Dollar		400.00						400.00
Lorenzo Goco	Dollar		360.00						360.00
Chad Tenpenny	Dollar		400.00						400.00
Dan Geisler	Dollar		400.00						400.00
Ira Wolf	Dollar		400.00						400.00
LeRoy Towns	Dollar		400.00						400.00
Total	Dollar		32,056.47		53,876.04		400.00		86,332.51

RICHARD SHELBY,
Chairman, Select Committee on Intelligence, Oct. 10, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Maricia Lee:									
United States					2,574.90				2,574.90
Holland			671.29						671.29
Germany			341.27						341.27
Jeffrey A. Taylor:									
United States					5,814.90				5,814.90
Holland			890.00						890.00
Germany			348.00						348.00
Robert Coughlin:									
United States					5,814.90				5,814.90
Holland			1,066.00						1,066.00
Germany			347.49						347.49
Leah Belaire:									
United States					5,814.90				5,814.90
Holland			1,066.00						1,066.00
Germany			347.49						347.49
Total			5,077.54		20,019.60				25,097.14

ORRIN HATCH,
Chairman, Committee on the Judiciary, Oct. 30, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), OF CODEL GRASSLEY (SLOVENIA PORTION OF NATO PA DELEGATION TRIP), TRAVEL FROM MAY 30 TO JUNE 1, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Charles Grassley:									
Slovenia	Dollar		430.00						430.00
Senator Mike Enzi:									
Slovenia	Dollar		365.00						365.00
Senator George Voinovich:									
Slovenia	Dollar		264.61						264.61
Ian Brzezinski:									
Slovenia	Dollar		430.00						430.00
Kolan Davis:									
Slovenia	Dollar		430.00						430.00
Julia Hart:									
Slovenia	Dollar		430.00						430.00
Bob Nickel:									
Slovenia	Dollar		177.00						177.00
Delegation Expenses ¹							4,277.75		4,277.75
Total			2,526.61				4,277.75		6,804.36

¹ Delegation expenses include direct payments and reimbursements to the Department of Defense and the Department of State under authority of Section 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of Public Law 95-384, agreed to May 25, 1977.

CHARLES GRASSLEY,
Chairman, Committee on International Trade, Oct. 2, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON NATIONAL SECURITY WORKING GROUP FOR TRAVEL FROM JULY 1, TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Terri Glaze:									
United States	Dollar				4,137.43				4,137.43
Switzerland	Franc		724.00						724.00
Mitch Kugler:									
United States	Dollar				4,137.43				4,137.43
Switzerland	Franc		724.00						724.00
Dennis Ward:									
United States	Dollar				4,137.43				4,137.43
Switzerland	Franc		724.00						724.00
John Rood:									
United States	Dollar				4,137.43				4,137.43
Switzerland	Franc		724.00						724.00
Total			2,896.00		16,549.72				19,445.72

TRENT LOTT,
Majority Leader, October 20, 2000.
TOM DASCHLE,
Democratic Leader, October 20, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), TRAVEL AUTHORIZED BY MAJORITY LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Chris Williams:									
United States	Dollar				4,337.80				4,337.80
Israel	Dollar		2,804.00						2,804.00
Jordan	Dollar		696.00						696.00
Total			3,500.00		4,337.80				7,837.80

TRENT LOTT,
Majority Leader, October 19, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), TRAVEL AUTHORIZED BY DEMOCRATIC LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bob Kerry:									
Spain	Peseta		200.00						200.00
Morocco	Dirham		477.00						477.00
Senegal	Dollar		100.00						100.00
Mali	Dollar		100.00						100.00
Ghana	Dollar		200.00						200.00
Congo	Dollar		300.00						300.00
Angola	Dollar		100.00						100.00
Zambia	Dollar		200.00						200.00
South Africa	Dollar		400.00						400.00
Uganda	Dollar		300.00						300.00
Tunisia	Dollar		100.00						100.00
Algeria	Dinar		200.00						200.00
Portugal	Escudo		200.00						200.00
Todd Stubbendieck:									
Spain	Pesetas		200.00						200.00
Morocco	Dirham		427.00						427.00
Senegal	Dollar		100.00						100.00

December 5, 2000

CONGRESSIONAL RECORD—SENATE

S11613

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), TRAVEL AUTHORIZED BY DEMOCRATIC LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2000—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mali	Dollar		100.00						100.00
Ghana	Dollar		200.00						200.00
Congo	Dollar		300.00						300.00
Angola	Dollar		100.00						100.00
Zambia	Dollar		200.00						200.00
South Africa	Dollar		400.00						400.00
Uganda	Dollar		300.00						300.00
Tunisia	Dinar		100.00						100.00
Algeria	Dinar		200.00						200.00
Portugal	Escudo		200.00						200.00
Total			5,704.00						5,704.00

TOM DASCHLE,
Democratic Leader, October 18, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), TRAVEL AUTHORIZED BY MAJORITY LEADER, TRAVEL FROM JULY 4 TO JULY 10, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator George Voinovich: ¹									
Romania	Leu		1,279.40						1,279.40
Croatia	Dollar		136.32						136.32
Wayne Palmer: ¹									
Romania	Leu		1,270.00						1,270.00
Croatia	Dollar		136.32						136.32
Total			2,822.04						2,822.04

¹ Senator Voinovich and Mr. Palmer were members of the joint Senate/House delegation that traveled to Bucharest, Romania, July 4-10, 2000, for the Organization of Security and Cooperation in Europe. Please see House Speaker's Consolidated Report for the Helsinki Commission for information on delegation expenses.

TRENT LOTT,
Majority Leader, Oct. 24, 2000.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), TRAVEL AUTHORIZED BY DEMOCRATIC LEADER FOR TRAVEL FROM JULY 4 TO JULY 10, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mary Landrieu: ¹									
Romania	Leu		322.87						332.87
Kathleen Stottman:									
Romania	Leu		792.27		2,664.18				3,456.45
Total			1,125.14		2,664.18				3,789.32

¹ Senator Landrieu was a member of the joint Senate/House delegation that traveled to Bucharest, Romania, July 4-10, 2000, for the Organization of Security and Cooperation in Europe. Please see the House Speaker's report for the Helsinki Commission for information on delegation expenses.

TOM DASCHLE,
Democratic Leader, Oct. 23, 2000.

CODEL DASCHLE—AMENDED REPORT TO 1ST QUARTER 2000 CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), FOR TRAVEL FROM JAN. 6 TO JAN. 17, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Daschle:									
Italy	Lire		236.00						236.00
Bahrain	Dinar		285.00						285.00
India	Rupee		872.00						872.00
Nepal	Rupee		236.00						236.00
Pakistan	Rupee		412.00						412.00
Egypt	Pound		327.00						327.00
	Dollar				2,666.12				2,666.12
Senator Christopher Dodd:									
Italy	Lire		236.00						236.00
Bahrain	Dinar		285.00						285.00
India	Rupee		872.00						872.00
Nepal	Rupee		236.00						236.00
Pakistan	Rupee		412.00						412.00
Egypt	Pound		327.00						327.00
	Dollar				2,607.10				2,607.10
Senator Harry Reid:									
Italy	Lire		236.00						236.00
Bahrain	Dinar		285.00						285.00
India	Rupee		872.00						872.00
Nepal	Rupee		236.00						236.00
Pakistan	Rupee		412.00						412.00
Egypt	Pound		327.00						327.00
	Dollar				2,661.12				2,661.12
Senator Daniel Akaka:									
Italy	Lire		236.00						236.00
Bahrain	Dinar		285.00						285.00
India	Rupee		872.00						872.00

CODEL DASCHLE—AMENDED REPORT TO 1ST QUARTER 2000 CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), FOR TRAVEL FROM JAN. 6 TO JAN. 17, 2000—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Nepal	Rupee		236.00						236.00
Pakistan	Rupee		412.00						412.00
Egypt	Pound		327.00						327.00
	Dollar				2,666.12				2,666.12
Randy DeValk:									
Italy	Lire		213.00						213.00
Bahrain	Dinar		223.00						223.00
India	Rupee		802.00						802.00
Nepal	Rupee		176.00						176.00
Pakistan	Rupee		311.00						311.00
Egypt	Pound		273.00						273.00
	Dollar				1,857.24				1,857.24
Ranit Schmelzer:									
Italy	Lire		213.00						213.00
Bahrain	Dinar		234.00						234.00
India	Rupee		802.00						802.00
Nepal	Rupee		176.00						176.00
Pakistan	Rupee		311.00						311.00
Egypt	Pound		273.00						273.00
	Dollar				1,857.24				1,857.24
Sally Walsh:									
Italy	Lire		236.00						236.00
Bahrain	Dinar		285.00						285.00
India	Rupee		772.00						772.00
Nepal	Rupee		236.00						236.00
Pakistan	Rupee		312.00						312.00
Egypt	Pound		327.00						327.00
	Dollar				1,857.24				1,857.24
Delegation Expenses: ¹									
Italy							1,329.58		1,329.58
Bahrain							1,301.90		1,301.90
India							8,697.64		8,697.64
Nepal							2,395.83		2,395.83
Pakistan							4,073.62		4,073.62
Egypt							1,552.28		1,552.28
Total			15,647.00		16,172.18		19,350.85		51,170.03

¹ Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE,
Democratic Leader, Oct. 26, 2000.

ORDERS FOR WEDNESDAY, DECEMBER 6, 2000

Mr. ALLARD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 10 a.m. on Wednesday, December 6. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 11 a.m., with Senators speaking for up to 5 minutes each, with the following exceptions: Senator HAGEL, 10 to 10:30 a.m.; Senator DURBIN or his designee, 10:30 to 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ALLARD. For the information of all Senators, the Senate will be in a period of morning business for 1 hour starting at 10 a.m. Following morning business, the Senate will resume postcloture debate on the conference report to accompany the bankruptcy legislation. Under the previous agreement, a vote on final passage of the conference report will occur at 4 p.m. on Thursday.

I ask unanimous consent that following the 4 p.m. vote on Thursday, Senator ABRAHAM be recognized for up to 30 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Negotiations are continuing on the remaining appropriations bills. It is hoped that all contentious issues can be resolved as early as the close of business this week. Therefore, Senators should be prepared for votes throughout the week.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ALLARD. Mr. President, in executive session, I ask unanimous consent that the following nominations be discharged from the Foreign Relations Committee and, further, the Senate proceed en bloc to their consideration: Jay T. Snyder and Larry Carp. I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Jay T. Snyder, of New York, to be a Representative of the United States of America to the Fifty-fifth session of the General Assembly of the United Nations.

Larry Carp, of Missouri, to be an Alternate Representative of the United States of America to the Fifty-fifth Session of the General Assembly of the United Nations.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 95-114, as amended, announces the appointment of the following individuals to the Congressional Award Board: Galen J. Reser, of Connecticut, and Rex B. Wackerle, of Virginia.

The Chair, on behalf of the Democratic leader, pursuant to Public Law 105-341, announces the appointment of the following individual to the Women's Progress Commemoration Commission: Ann F. Lewis, of Maryland, vice Joan Doran Hedrick, of Connecticut.

Mr. REID. Mr. President, if the Senator will yield, based upon what has been outlined by the acting majority leader, it is very unlikely there will be any votes tomorrow. Will the Senator agree?

Mr. ALLARD. We don't expect votes, but we simply can't rule them out.

Mr. REID. I thank the Senator.

December 5, 2000

CONGRESSIONAL RECORD—SENATE

S11615

RECESS UNTIL 10 A.M. TOMORROW

Mr. ALLARD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 5:01 p.m., recessed until Wednesday, December 6, 2000, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 5, 2000:

DEPARTMENT OF STATE

LARRY CARP, OF MISSOURI, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

JAY T. SNYDER, OF NEW YORK, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.